

**THE LACCADIVE MINICOY & AMINDIVI ISLANDS (RESTRICTIONS
ON ENTRY AND RESIDENCE) RULES, 1967**

In exercise of the powers conferred by Section 9 of the Laccadive, Minicoy and Amindivi Islands (Laws) Regulations, 1965 (8 of 1965) and with the previous sanction of the Central Government, the Administrator of the Union Territory of Laccadive, Minicoy and Amindivi Islands hereby makes the following rules, namely:-

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| <p>1. (1) These rules may be called the Laccadive Minicoy Islands (Restrictions on Entry and Residence) Rule, 1967;</p> <p>(2) They extend to the whole of the Union Territory of the Laccadive, Minicoy and Amindivi Islands;</p> <p>(3) They shall come into force on the 1st day of October, 1967.</p> | <p>Short title
extent and
commence-
ment</p> |
| <p>2. In these rules, unless the context otherwise requires.</p> <p>(a) 'Administrator' means the Administrator of the Union Territory of Laccadive, Minicoy and Amindivi Islands appointed by the President under Article 236 of the Constitution;</p> <p>(b) 'Competent Authority' in relation to any functions to be performed under these rules means such Officer serving in connection with the Administration of the Union Territory of Laccadive, Minicoy and Amindivi Islands as may be empowered by the Administrator, by order, to perform these functions;</p> <p>(c) 'enter' with its grammatical variations and cognate expressions means enter by sea or air;</p> <p>(d) 'form' means a form appended to these rules;</p> <p>(e) 'island' means an island comprised in the Union Territory of the Laccadive, Minicoy and Amindivi Islands;</p> <p>(f) 'Permit' means a permit issued or deemed to have been issued under these rules.</p> <p>(g) 'Port' means a place of entry on the sea shore of the islands and includes an airport or an airstrip in the islands;</p> | <p>Definition</p> |

(h) 'Registration Officer' means a Registration Officer appointed under rule 15.

3. After the commencement of these rules no person who is not a native of the island shall enter or reside in or attempt to enter or reside in the islands except under and in accordance with a permit issued by the competent authority.

Entry into and residence in the islands by non-natives to be in accordance with permit

Provided that no such permit shall be necessary in the case of the following classes of persons, namely:-

- (a) Persons who had taken up permanent residence in the island at any time before the commencement of these rules and members of the families of such persons;
- (b) Member of the Armed Forces of the Indian Union entering the island on duty;
- (c) Persons serving in connection with the administration of the islands proceeding to the islands on official duty and members of their families;
- (d) (i) Officials and non-officials sponsored by any of the Ministries or Departments of the Government of India or the Administrator;
 - (ii) Indian Tourists permitted by the Administrator, and
 - (iii) Foreign nationals permitted by the Ministry of Home Affairs of the Government of India for visits to such islands and for such periods as may be specified by the Ministry, Department or the Administrator, as the case may be which or who sponsor or permits the visit.

Provided further that the in case where any visits are sponsored or permitted by any Ministry or Department of the Government of India under Clause (d) of the first proviso, such Ministry or Department shall intimate the names of persons whose visits are sponsored or permitted, the period of their stay and the names of the islands to be visited by them to the Administrator.

Explanation:- For the purpose of this rule, the family of a person includes his or her spouse and children and grand children, brothers, sisters and parents of the person or his/her spouse and also includes son-in-laws and daughter-in-law of the persons serving in connection with the administration of the islands.

(e)¹ Bonafide foreign tourists permitted by the Administrator for staying in _____

¹ Inserted by Notification No. 1/4/83-Genl, dated 20-6-84.

uninhabited islands and Kadmat and Agatti islands.²

Provided further that before granting such permission the Administrator will:-

- (i) grant permission for staying in such uninhabited islands and Kadmat and Agatti Islands inserted⁽³⁾ as may be notified by him from time to time,
- (ii) permit such foreign tourists undertaking journeys in groups as have valid booking for accommodation in the notified islands.

Note:-

- (1) 'Bonafide foreign tourist' shall mean foreign national having a valid visa and passport and visiting the country as a tourist.
- (2) The form of application and permit shall be as prescribed by the Administrator.
- (3) The place of transit shall be Kavaratti or Agatti as may be specified in the permit and

the transit time on an island shall be twelve hours or such extended

(3) Inserted by Notification F.No.16/1/93-LR, dated 11-10-2000.

number of hours as may be specified by the Administrator in his Order for reasons to be recorded in writing.

- (e) Employees of Central and State Governments/public sector undertakings and bonafide domestic servants and cooks permitted by the Administrator.
- (g)⁴ Maldivian national permitted by the High Commissioner of India to the Republic of Maldives to visit Minicoy Island for the Period not exceeding fifteen days:

Provided further that the High Commissioner of India shall intimate the names of the persons whose visits are permitted and the period of their stay to the Administrator sufficiently in Advance and the Administrator may, on valid grounds, extend the period of stay.

Explanation:- For the purpose of this proviso, the island of Agatti, Kavaratti and Bangaram shall be deemed to be transit points and duration of stay in these islands shall be determined by the Administrator deputing upon the availability of conveyance.

4. A permit may be issued renewed or endorsed by the competent authority for entering into such island or islands and for residence therein for such period, as may be specified in the permit.

Purpose and periods for which permits may be issued.

⁴Inserted by Notification F.No.16/6/95-LR, dated 30th November, 1997.

5. Every application for the issue of a permit shall be in Form I. An application for issue of permits
6. (1) A permit issued under rule 5 may be renewed or endorsed on an application made in Form II and submitted through the nearest registration officer at least fifteen days in advance of the date on which the permit is due to expire, or the date with effect from which such endorsement is required. Renewal and endorsement of permits

Provided that where a permit has been renewed three times, it shall be surrendered to the competent authority and an application for the issue of a fresh permit shall be made a under rule 5.

- (2) An application for the renewal or endorsement of a permit under sub rule (1) shall be accompanied by the permit in respect of which the application is made;
- (3) Where an application for the renewal or endorsement of a permit is made under sub rule (1) or where a permit has been surrendered under the proviso to that sub rule, the Registration Officer shall issue to the holder thereof a temporary permit in Form IV.
7. (1) On receipt of a an application under rule 5 or rule 6, the competent authority may call for such additional information or make such inquiry as it deems necessary for disposing of such application and may either issue the permit if Form Action to take on applications under rules 5 and 6

III or renew or endorse the permit as required by the application or after giving the applicant a reasonable opportunity to represent his case reject by order in writing such application.

Provided that no application shall be so rejected unless the competent authority is satisfied for reasons to be recorded in writing that it is necessary so to do in the interests of the general public or for the protection of the interests of any Scheduled Tribe.

Explanation:- 'In the interest general public' also include 'public order or security of the State or friendly relations with a foreign country' in so far as permission to visit Lakshadweep has been sought only for exercise of right of freedom of speech under Article 19(1) (a) of the Constitution.

- (2) On rejection of an application under sub rule (1) the competent authority shall forward to the applicant a copy of the order of rejection together with a brief statement of the reasons thereof.
8. (1) The holder of a permit shall not enter or leave an island otherwise than at such port as may be specified therein. Duties of holders of permits etc.
- (2) A permit shall be valid only for the island or islands endorsed thereon and the holders thereof shall not enter or attempt to enter any other island or islands without getting the permit endorsed for such other island or islands.
- (3) The holder of a permit shall, as soon as possible and in any case within twenty four hours after his arrival in any island, report with his permit to the nearest Registration Officer who shall enter in the permit the date and time of arrival of the holder in the island.
- (4) Whenever during the period of validity of a permit the holder thereof leaves an island (whether for the purpose of proceeding to another island or to any place outside the island he shall present his permit to the nearest Registration Officer who shall make an entry therein regarding the date and time of departure of the holder and return the permit to the holder.

Provided that the holder of a permit shall surrender his permit to such Registration Officer, if he has no intention of returning to the islands and the Registration Officer shall make an entry to that effect on the permit as well as in the register maintained by him under rule 15 and also give the person surrendering the permit as certificate in Form.V.

- (5) Same as otherwise provided in rule II, the holder of a permit shall, on the expiration of a the period for which the permit has been issued or renewed or, as the case may be, on the cancellation of the permit, leave the islands, after surrendering the permit to the nearest Registration Office or to the Office in-charges of the nearest police station or to such other Officer as may be specified by the Administrator in this behalf and upon such surrender, such Officer shall record on the permit the date and time of departure of the holder from the island and also issue to the person surrendering it a certificate in Form V.

(6) The holder of a permit shall not act or conduct himself in a manner prejudicial to the interests of the general public or any scheduled tribe in the island or in a manner which is likely to disturb the public peace and tranquility in the islands.

9. (1) The competent authority may, cancel a permit if Cancellation
of permits
- (a) the holder thereof has been convinced of an offence under these rules, or
 - (b) The holder thereof has, in the opinion of the competent authority, acted or conducted himself in a manner prejudicial to the interests of the general public or of any Schedule Tribe in the island or in a manner which is likely to disturb the peace and tranquility in the island, or
 - (c) Any material fact which by itself, would have afforded sufficient ground for refusal to issue the permit under these rules comes to light after the issue of the permit.

Provided that no order shall be passed under clause (b) or clause (c) without giving the holder of the permit a reasonable opportunity to represent his case.

(2) On cancellation of a permit under sub rule (1), the competent authority shall forward to the holder thereof a copy of the order of cancellation, together with a brief statement of the reasons therefore.

10. (1) Any person whose application under sub rule 5 or rule 6 Appeals
if rejected under rule 7, or whose permit is cancelled under rule 9 may prefer an appeal to the Administrator.
- (2) An appeal under sub-rule (1) shall be in the form of a memorandum signed by the appellant and shall be accompanied by a certified copy of the order appealed against.
 - (3) No appeal shall be preferred under this rule, the expiry of thirty days from the date of receipt of the order appealed against.
 - (4) Where an appeal is preferred under this rule, the Administrator shall, after making such inquiry as he may deem necessary and after giving the appellant a

reasonable opportunity to represent his case, confirm, vary or cancel the order appealed against.

11. (1) Any person whose application for renewal of his permit under rule 6 has been rejected or whose application for replacement of his permit by a fresh permit under rule 5 read with the proviso to rule 6 has been rejected or whose permit has been cancelled, may continue to reside in any island in respect of which the permit (hereinafter referred to as the existing permit) so sought to be renewed or replaced or so cancelled was endorsed.
- Stay in islands of a holder of a permit pending his appeal under Rule-10
- (a) Until the expiry of the period within which an appeal may be preferred under rule 10 against such rejection or cancellation;
- (b) If such appeal has been preferred within the said period, until the disposal of such appeal.
- (2) The holder of an existing permit who intends to avail himself of the revisions of sub rule (1) and continue to reside in any island in respect which such permit was endorsed shall:
- (a) Within seven days of the date of communication to him of the order rejecting his application for renewal or replacement by a fresh permit of his existing permit, or canceling his existing permit, present his existing permit to the nearest Registration Officer who shall record there on the holder's intention to reside in the islands under sub-rule (1) and,
- (b) If he prefers an appeal against such order under rule 10, present within seven days thereafter, his existing permit to the nearest Registration Officer who shall after satisfying himself that such appeal was preferred, make on such permit an entry to that effect.
- (3) The holder of an existing permit shall leave the islands:
- (a) If no appeal has been preferred by him against the order rejecting his application for renewal or replacement of such permit, or as the case may be, against the order canceling such permit

upon the expiration of the period prescribed for such appeal, or

- (b) If such appeal has been referred but the order appealed against has been confirmed, within such period as may be specified on the order of confirmation.
- (4) Before leaving the islands in accordance with the provision of sub-rule(3), the holder of an existing permit shall surrender such permit to the nearest Registration Officer or to the Officer in charge of the nearest police station or to such other Officer as may be specified by the Administrator in this behalf and upon such surrender, such officer shall record on the permit the date and time of the departure of the holder from the islands and also issue a certificate to the person surrendering it in Form V.
- 12. The Administrator, may, for the purpose of satisfying himself as to the legality or propriety of any order against which an appeal may be preferred under rule 10, call for (notwithstanding that no appeal has been preferred against such order) the record in relation thereto and after examination of such record, vary or cancel such order.
- 13. (1) If a permit is lost or destroyed, the holder thereof shall forthwith report to the competent authority and the nearest Registration Officer the circumstances in which it was lost or destroyed and if the permit has not already expired, the Registration Officer shall issue the holder a temporary permit in Form IV. Procedure for obtaining duplicate permits
- (2) Along with the report intimating the loss or destruction of a permit, the holder thereof shall forward through the Registration Officer to the competent authority an application for the issue of a duplicate permit and the competent authority on receipt of such application shall, after making such inquiry as it may deem necessary issue a duplicate permit and forward it to the Registration Officer.
- (3) On receipt of the duplicate permit, the Registration Officer shall summon the applicant to his office and hand over the duplicate permit to him after collecting from him the temporary permit issued under sub rule (1).

14. Whoever contravenes any provision of these rules shall be punishable with imprisonment which may extend to one month, or with fine which may extend to one thousand rupee, or with both.
15. (1) The Administrator may be notified in Official Gazette, appoint such persons as he thinks fit to be Registration Officers for the purposes of these rules and define the local limits within which each Registration Officer shall exercise the powers conferred and perform the duties imposed on Registration Officers under these rules.
- (2) Every Registration Officer shall maintain a register in Form VI and make available such register for scrutiny by the competent authority or by such office or authority as may be authorized in that behalf by the Administrator, whenever such authority or officer calls for it.
- (3) The Registration Officer may at any time require the holder of a permit to produce his permit for inspection and the holder shall comply with such requisition.
- (4) The Registration Officer shall from time to time forward to the competent authority the permits surrendered to him by holders thereof.
16. The competent authority shall maintain a register of permits in form VII. Register of permits
17. Every permit issued under section 33 of the Laccadive Islands and Minicoy Regulation, 1912 (1 of 1912) or the Amindivi Island (Restrictions of Entry and Residence) Regulation 1949 (Madras Regulation 4 of 1949) before the commencement of these rules and in force immediately before such commencement shall be deemed to have been issued under these rules and shall, subject to the provisions of these rules, continue in force for the unexpired portion of the period for which such permit had been issued. Special provision as to permits issued under Regulation I of 1912 and Madras Regulation 4 of 1949.

