The Diplomatic Relations (Vienna Convention) Act, 1972

Act 43 of 1972. 11 sections. Bare Act with the official footnotes.

Source: India Code, Legislative Department, Ministry of Law and Justice, as updated to 24 August 2026. This is the official text as held in Law Maker's Bare Acts library, checked against the official file; for use in court or an exam hall, check the Gazette or India Code copy.

Official file: https://indiacode.gov.in/server/api/core/bitstreams/3feb8f47-0617-409d-a447-7dd3dd368fa0/content

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https://www.lawmaker.in/bare-acts/diplomatic-relations-vienna-convention-act-1972

(As on the 5th June, 2025)

The Delegated Legislation Provisions (Amendment) Act, 1985 (4 of 1986).

Cl., cls. . . . . for Clause, clauses.

Ins. . . . . ,, Inserted.

Notifn. . . . . ,, Notification.

S., ss. . . . . ,, Section, sections.

Sch. . . . . ,, Schedule.

Subs. . . . . ,, Substituted.

w.e.f. . . . . ,, with effect from.

SECTIONS

1. Short title and extent.

2. Application of Vienna Convention on Diplomatic Relations.

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[29th August, 1972.]

An Act to give effect to the Vienna Convention on Diplomatic Relations, 1961 and to provide for matters connected therewith.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:-

Section 1. Short title and extent

(1) This Act may be called the Diplomatic Relations (Vienna Convention) Act, 1972.

(2) It extends to the whole of India.

Section 2. Application of Vienna Convention on Diplomatic Relations

(1) Notwithstanding anything to the contrary contained in any other law, the provisions set out in the Schedule to this Act of the Vienna Convention on Diplomatic Relations, adopted by the United Nations Conference on Diplomatic Intercourse and Immunities on the 14th day of April, 1961, shall have the force of law in India.

(2) The Central Government may, from time to time, by notification in the Official Gazette, amend the Schedule in conformity with any amendments, duly made and adopted, of the provisions of the said Convention set out therein.

Section 3. Application of certain privileges and immunities to diplomatic missions and their members pursuant to international agreement

Where in pursuance of any agreement, convention or other instrument it is necessary to accord to any diplomatic mission and its members, the sending State of which is not a party to the Vienna Convention on Diplomatic Relations, 1961, or to any other special mission and its members, privileges and immunities in India similar to those contained in the provisions set out in the Schedule, the Central Government may, by notification in the Official Gazette, declare that the provisions set out in the Schedule shall, subject to such modifications, if any, as it may consider necessary or expedient for giving effect to the said agreement, convention or other instrument, apply mutatis mutandis to the diplomatic mission and its members, or to the other special mission and its members, as the case may be, and thereupon the said provisions shall apply accordingly, and notwithstanding anything to the contrary contained in any other law, shall in such application have the force of law in India.

Section 4. Restrictions on privileges and immunities

If it appears to the Central Government that a State which is a party to the Vienna Convention on Diplomatic Relations, 1961 is in breach of its obligations arising thereunder or, that the privileges and immunities accorded to an Indian Mission or members thereof in the territory of any State which is a party to the Vienna Convention on Diplomatic Relations, 1961, are less than those conferred by this Act on the Diplomatic mission of that State or members thereof, the Central Government may, notwithstanding anything contained in this Act, by notification in the Official Gazette, withdraw such of the privileges and immunities so conferred from the diplomatic mission of that State or from members thereof as may appear to the Central Government to be proper.

Section 5. Waiver

For the purpose of article 32 of the Convention set out in the Schedule, a waiver by the head of the mission of any State or any person for the time being performing his functions shall be deemed to be a waiver by that State.

Section 6. Restrictions on certain exemptions from customs duty, etc

Nothing contained in article 36 of the Convention set out in the Schedule shall be construed to entitle a diplomatic mission or member thereof to import into India goods free of any duty of customs without any restrictions on their subsequent sale therein.

Section 7. Privileges and immunities of citizens of India

For the purpose of article 38 of the Convention set out in the Schedule, a citizen of India shall be entitled only to such additional privileges and immunities, other than those set out in that article, as are granted to him by the Central Government by notification in the Official Gazette.

Section 8. Restrictions on entry into diplomatic premises

No public servant or agent of the Central Government, a State Government or any public authority shall enter the premises of a diplomatic mission for the purpose of serving legal process, except with the consent of the head of the mission. Such consent may be obtained through the Ministry of External Affairs of the Government of India.

Section 9. Evidence

If in any proceedings any question arises whether or not any person is entitled to any privilege or immunity under this Act, a certificate issued by or under the authority of the Secretary to the Government of India in the Ministry of External Affairs stating any fact relating to that question shall be conclusive evidence of that fact.

Section 10. Power to make rules

The Central Government may [1][by notification in the Official Gazette,] make rules for carrying out the purposes of this Act.

[1] Ins. by Act 4 of 1986, s. 2 and Sch. (w.e.f. 15-5-1986).

Section 11. Notifications issued and rules made under this Act to be laid before Parliament

Every notification issued and every rule made under this Act shall be laid as soon as may be after it is issued or made before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or, as the case may be, in the rule, or both Houses agree that the notification or rule should not be issued or made, the

notification or rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification or rule.

Schedules

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THE SCHEDULE (official file, page 6)

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