

भारत के नियंत्रक-महालेखापरीक्षक का कार्यालय
9, दीन दयाल उपाध्याय मार्ग,
नई दिल्ली-110 124



परिपत्र संख्या.58 –स्टाफ हकदारी-2/2019
संख्या.1042 –स्टाफ हकदारी-2/34-2019(II)

OFFICE OF THE COMPTROLLER &
AUDITOR GENERAL OF INDIA
9, DEENDAYAL UPADHYAYA MARG,
NEW DELHI - 110 124

दिनांक / DATE 10 DEC 2019

सेवा में,

भारतीय लेखा तथा लेखापरीक्षा विभाग के सभी कार्यालयध्यक्ष
निदेशक (कार्मिक)

विषय: New Visa Manual, 2019.

महोदय/महोदया,

I am directed to forward herewith a copy of letter No. 25022/57/2019-F.I dated 16.10.2019 of Government of India, Ministry of Home Affairs on the subject cited above for further necessary action.

Enclosure: As above

भवदीया,

(एस.रोहिणी)

वरि.प्रशासन अधिकारी/स्टाफ हक-2

135

CIRCULAR NO.: 547
CONFIDENTIAL

No. 25022/57/2019-F.I
Government of India
Ministry of Home Affairs
(Foreigners Division)

Major Dhyan Chand National Stadium, India Gate
New Delhi - 110002, dated the 16th October, 2019

To

1. All Indian Missions/ Posts
2. All State Governments/ UT Administrations
3. FRROs- Delhi, Mumbai, Chennai, Kolkata, Amritsar, Bangalore, Hyderabad, Kochi, Thiruvananthapuram, Calicut, Goa, Lucknow and Ahmedabad.

Subject: New Visa Manual, 2019

Sir,

I am directed to say that the entry, stay, movement, transit through and exit of foreign nationals in India are governed by The Passport (Entry into India) Act, 1920, The Foreigners Act, 1946, The Registration of Foreigners Act, 1939 & The Citizenship Act, 1955 and Rules/ Orders framed thereunder. Besides, executive instructions are issued by this Ministry from time to time regarding the entry, stay, movement, transit through and exit of foreign nationals in India in terms of the provisions in the aforesaid Acts and Rules/ Orders framed thereunder. These instructions/ guidelines are contained in the Visa Manual in a consolidated form. The Visa Manual is updated from time to time and the last Visa Manual was issued in September, 2017, which covered instructions/ guidelines issued by the Central Government in this regard till 15th September, 2017.

2. Since 15th September, 2017, a number of Circulars [Circular nos. 494 to 546] amending various provisions in the Visa Manual, 2017 and executive instructions on visa, immigration and Overseas Citizen of India (OCI) Cardholder scheme have been issued by the Ministry of Home Affairs. Issuance of a new Visa Manual incorporating the instructions contained in all these Circulars/ executive instructions has been under consideration of the Government. Accordingly, it has been decided, with the approval of the competent authority, to issue the new Visa Manual, 2019 which covers all the instructions contained in the Circular nos. 494 to 546 and the following executive instructions issued by the Ministry of Home Affairs from 16th September, 2017 till 30th September, 2019 :-



- (134)
- (i) Letters no. 25022/05/2009-F.IV dated 07.12.2017 (two letters) regarding streamlining stay and travel regulations for Tibetan Refugees in India
 - (ii) Order no. 26011/52/2016-OCI dated 11.12.2017 specifying that a person registered as OCI cardholder is eligible for appointment as teaching faculty in Central Higher Educational Institutions viz. IITs, Central Universities, NITs, IIMs and IISERs
 - (iii) Letter dated 18049/42/2017-F.II dated 12th March, 2018 as partially amended vide letter no. 25022/34/2018-F.I dated 9th July, 2018 regarding PRC (Prior Reference Category) visa applications of Pakistani nationals and foreigners of Pakistani origin
 - (iv) Letters no. 25022/8/2018-F.CC dated 21st May, 2018 & 24th August, 2018 regarding launch of an online Event Clearance Portal for grant of security clearance
 - (v) O.M. No. 25022/55/2018-F.I dated 11th July, 2018 regarding grant of Group Pilgrim Visas to minority communities in Pakistan to visit Haridwar
 - (vi) Order no. 26011/52/2016-OCI dated 2nd August, 2018 specifying that a person registered as OCI cardholder is eligible for appointment as teaching faculty in Indian Institute of Science, Bangalore and the new AIIMS set up by the Central Government under the Pradhan Mantri Swasthya Suraksha Yojana
 - (vii) O.M. no. 25022/64/2018-F.I dated 10th August, 2018 regarding delegation of powers to FRROs on various visa related services
 - (viii) Letter no. 26011/PTO/15/2018-OCI dated 1st October, 2018 regarding processing of applications submitted by erstwhile PIO cardholders for registration as OCI cardholder
 - (ix) Order no. 26011/158/2016-OCI dated 11th January, 2019 regarding registration of descendants up to sixth generation of the original Indian immigrants who had arrived in Suriname as indentured laborers as OCI cardholder
 - (x) Letter no. 25022/05/2009-F.IV dated 15th March, 2019 regarding Exit Permit and Return Visa for Tibetan Refugees visiting abroad on the strength of Certificate of Identity.

- (xi) Letter no. 26011/MISC/97/2018-OCI dated 20th /22nd March, 2019 regarding capturing of biometrics of applicants during registration as OCI cardholders
- (xii) Letter no. 25022/05/2009-F.IV dated 27th March, 2019 regarding issue of Police Clearance Certificate (PCC) to Tibetans
- (xiii) O.M. no. 25022/02/2019-Imm dated 4th April, 2019 regarding permitting a foreigner coming on e-visa to enter India through any of the Immigration Check Posts (ICPs) designated or which will be designated in future for entry on e-visa
- (xiv) O.M.no. 25022/42/2019-F.I dated 12th April, 2019 regarding issue of Police Clearance Certificates (PCC) by FRROs/ FROs for obtaining a visa for certain other countries to foreign nationals who are staying in India or have previously resided in India but not registered with FRROs/ FROs
- (xv) Letter no. 25022/39/2016-F.I dated 8th April, 2019 as partially amended vide letters of even number dated 21st May, 2019 and 26th August, 2019 regarding fixation of financial penalty for overstay and/or non-registration
- (xvi) Letter no. 26011/MISC/89/2018-OCI dated 21st May, 2019 regarding personal interview of OCI applicants who apply for registration as OCI cardholder under section 7A (1)(d) of the Citizenship Act, 1955
- (xvii) Letter no. 18045/5/2019-F.II dated 23rd May, 2019 regarding grant of visa to a person whose name figures in the Black List
- (xviii) Letter no. 25022/34/2019-F.I dated 30th May, 2019 regarding relaxation in time for applying for visa services to children born to foreigners in India without overstay penalty

Besides, certain specific provisions/ modifications have been incorporated in the new Visa Manual, 2019, details of which are annexed (Annex.I). A copy of the new Visa Manual will be sent after it is printed. In the meantime, it is available in the C-Visa and e-FRRO platforms in the IVFRT modules.

3. Salient features of the new Visa Manual, 2019 are given below:-

- (i) The new Visa Manual, 2019 has 28 Chapters and 30 Appendices. Following chapters have been merged in view of the reduction in number of main categories of visa from 26 to 21:-
 - (a) Chapter on Project Visa has been merged in Employment Visa

- (b) Chapter on Sports Visa has been merged in Business Visa
- (c) Chapter on Intern Visa has been merged in Student Visa

[Medical Attendant visa and Research visa, which were clubbed with Medical visa & Student visa respectively already formed part of the Chapters on Medical Visa & Student Visa]

Besides the above, the existing Visa Manual has a separate chapter on Foreigners of Indian Origin (Chapter 25). Provisions in this Chapter have been merged in the chapter on Entry (X) visa.

- (ii) Chapters of the proposed new draft Visa Manual have been arranged as follows:-

- I. General [Chapter 1]
- II. e-visa and Visa-on-Arrival [e-visa (Chapter 2) & Visa-on-Arrival (Chapter 3)]
- III. Work Visas [Employment visa (Chapter 4), Business visa (Chapter 5), Film visa (Chapter 6), Journalist visa (Chapter 7) & Missionary visa (Chapter 8)]
- IV. Non-Work visas [Transit visa (Chapter 9), Tourist visa (Chapter 10), Medical visa (Chapter 11), Conference visa (Chapter 12), Mountaineering visa (Chapter 13) & Entry Visa (Chapter 14)]
- V. Others [Student visa (Chapter 15), Diplomatic and Official visa (Chapter 16), Bangladesh nationals (Chapter 17), Pakistani nationals (Chapter 18), Special Categories (Chapter 19), Long Term Visas (Chapter 20) & OCI cardholder (Chapter 21)]
- VI. Miscellaneous [Landing Permit (Chapter 22), Seamen and Air crew (Chapter 23), Protected and Restricted Areas (Chapter 24), Regulations applicable to foreigners in India (Chapter 25), Procedure governing registration and stay of Tibetans in India (Chapter 26), Customs Regulations (Chapter 27) & Health Regulations (Chapter 28)]

- (iii) Following provisions presently available in the existing Visa Manual under Chapter 22- Special Categories have been incorporated in the Chapter on Entry (X) visa (**new Chapter 14**) to avoid duplication:-

- (a) Visas for foreign nationals coming to join Auroville Foundation (para 14.3.1 of the new Visa Manual)
- (b) Visas for foreign nationals coming to join Sri Aurobindo Ashram, Puducherry (para 14.3.2 of the new Visa Manual)
- (c) Visas to foreign nationals coming to join Missionaries of Charity, Kolkata (para 14.3.3 of the new Visa Manual)
- (d) Visas to foreign nationals coming to join Temples (para 14.3.4 of the new Visa Manual)
- (e) Visas to foreign nationals who own property in India (para 14.4.1 of the new Visa Manual)
- (f) Visa of foreigners who are staying in India for a long time (para 14.4.2 of the new Visa Manual)

4. All concerned are requested to comply with the instructions contained in the new Visa Manual, 2019, which supersedes the instructions contained in this Ministry's Circular nos. 494 to 546 and the executive instructions issued by this Ministry as indicated in para 2 above.

Yours faithfully



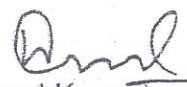
(Pramod Kumar)
Director (Foreigners)
Tel. No. 23077508

Copy to:

1. Secretaries of all Ministries/ Departments of the Government of India
2. Ministry of External Affairs [Shri Adarsh Swaika, Joint Secretary (CPV)], Patiala House Annexe, New Delhi – with the request to circulate the new Visa Manual to all Indian Missions/ Posts for compliance.
3. Department of Commerce, Ministry of Commerce & Industry [Shri Sudhanshu Pandey, Additional Secretary], Udyog Bhawan, New Delhi
4. Ministry of Human Resource Development (Department of Higher Education) (Shri Sukhbir Singh Sandhu, Additional Secretary), Shastri Bhawan, New Delhi
5. Ministry of External Affairs [Shri Deepak Mittal, Joint Secretary (PAI)], South Block, New Delhi
6. Ministry of External Affairs [Shri Vikram Doraiswami, Joint Secretary (BM)], South Block, New Delhi

(12)

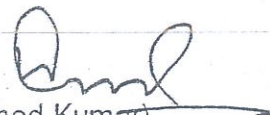
7. Ministry of External Affairs [Shri Vinod K. Jacob, Joint Secretary (OIA-I), Akbar Bhawan, New Delhi]
8. Ministry of External Affairs [Shri Abbagani Ramu, Joint Secretary (OIA-II), Akbar Bhawan, New Delhi]
9. Ministry of External Affairs [Shri Robert Shetkintong, Joint Secretary (Coordination)], South Block, New Delhi
10. Ministry of Tourism [Shri Suman Billa, Joint Secretary] Transport Bhawan, New Delhi
11. Ministry of Defence [Shri Rajeev Singh Thakur, Joint Secretary (Army)], 97, South Block, New Delhi
12. Ministry of Information & Broadcasting (Shri Ashok Kumar R Parmar, Joint Secretary), Shastri Bhawan, New Delhi
13. Ministry of Health & Family Welfare (International Health Division), Nirman Bhawan, New Delhi
14. Bureau of Immigration (Shri Rajeev Ranjan Verma, Joint Director) [10 copies]- It is requested that a copy of the new Visa Manual may be forwarded to the Pakistan and Bangladesh Divisions in IB]
15. Cabinet Secretariat [Shri K.G.Praveen Kumar, Joint Secretary]
16. DDG, NIC [Shri J.K.Yadav]- with a request to place the new Visa Manual on the C- Visa and e.FRRO portal.



(Pramod Kumar)
Director (Foreigners)

Copy also forwarded to :-

1. Home Secretary
2. Secretary (BM), MHA
3. Special Secretary (IS), MHA
4. Special Secretary (CS), MHA
5. Additional Secretary (J&K), MHA
6. Additional Secretary (UT), MHA
7. Joint Secretary (NE), MHA
8. Joint Secretary (FFR), MHA
9. Joint Secretary (CIS), MHA
10. Joint Secretary (IS-I), MHA
11. Joint Secretary (CIC), MHA
12. PS to HM
13. DS to MoS(N)
14. Sr. PPS to MoS(G)



(Pramod Kumar)
Director (Foreigners)

Internal Distribution in Foreigners Division

JS(F)/ Director(FC)/ Director (MU)/ Director (C) / DS(I)/ DS(C)/ US(F)/ US(V)/ US
(C)/ US(Imm)

All sections of Foreigners Division


(Pramod Kumar)
Director (Foreigners)

New specific provisions/ modifications incorporated in the new Visa Manual, 2019 in addition to the instructions contained in the Circulars and executive instructions issued by the Ministry of Home Affairs from 16th September, 2017 till 30th September, 2019

1. Para 1.5 (2) (c) regarding period of validity under scrutiny of passport has been modified as follows to bring clarity:-

“(c) The validity of all visas will commence from the date of issue of visa. In all cases where this Visa Manual prescribes grant of visa for a particular period as a default option, the Indian Missions/ Posts shall issue visa valid for the period as per default option irrespective of the validity of the passport subject to the fulfilment of conditions at (a) & (b) above. In case the Missions/ Posts decide to grant visa for a shorter duration, reasons for doing so should be clearly recorded. If the passport, on which visa has been endorsed lapses, the visa will still be valid if the old passport is carried along with the new passport. Some countries do not have the practice of returning the expired passport to the individual. In such cases, a visa endorsed in the old passport may be transferred to the new passport, by making a specific appropriate endorsement, and after fully satisfying oneself regarding the genuineness of the new passport. Any fee to be charged for such a service would be as per the instructions issued by the MEA from time to time.”

[Refer : Para 1.5 (2)(c) of the new Visa Manual]

2. As per provisions in the existing Visa Manual (*para 1.9*), in case a foreigner applies for a visa from a country other than the country of his domicile, the Mission/ Post concerned is required to consult the Indian Mission in the country of domicile of the foreigner and wait for 72 hours for their response. If no reply is received within 72 hours, visa can be granted after carrying out the usual checks. In the new Visa Manual, this requirement has been removed and accordingly *para 1.9* of the existing Visa Manual stand deleted.
3. As per existing provisions, except in cases where a visa is cancelled, visa fee should not be refunded. This has been modified to provide that under no circumstances, visa fee once paid will be refunded.

[Refer : Para 1.13 (5) of the new Visa Manual].

4. ~~As per existing provisions~~, a foreigner who is already having a long duration visa can be granted another short duration visa for undertaking specific

activities by keeping the long duration visa 'on hold'. This provision has been modified to provide that if a foreign national who is already holding a valid visa submits an application for an additional visa for undertaking any other specific activity, the Indian Mission/ Post may grant additional visa if the visa granting authority is satisfied about the requirement of the foreigner. In such cases, the earlier valid visa will not be cancelled or put on hold and the foreign national will be allowed to have dual visa. The same facility will be available to a foreign national availing e-visa or Visa-on-Arrival. In such cases, the Immigration Authorities in India may grant e-visa or Visa-on-Arrival to a foreign national who is already holding another valid visa.

[Refer : Para 1.26 of the new Visa Manual].

5. Following para has been added in the new Visa Manual with regard to e-FRRO module:-

"1.39 e-FRRO module

Under the e-FRRO module already rolled out, FRROs will act as 'Nodal Officers' and process all the applications received online for the States under their jurisdiction as may be communicated by the Ministry of Home Affairs from time to time. All visa and immigration related services in India viz. Registration, Visa Extension, Visa conversion, exit permit etc. would be processed online by Nodal FRROs. The nodal FRROs would consult the FRO concerned for feedback/ opinion on case to case basis, if so felt necessary, and grant the requisite services electronically on their own."

[Refer : Para 1.39 of the new Visa Manual]

6. Following new para has been added in the new Visa Manual:-

"1.40 FRROs / FROs/ State Governments/ UT Administrations have been authorized to exercise powers vested in the Ministry of Home Affairs on various visa related services as mentioned in relevant chapters of this Visa Manual. These powers shall also be exercisable by the Bureau of Immigration. However, exercise of these powers by FRROs/ FROs/ State Governments/ UT Administrations/ Bureau of Immigration shall be subject to any direction/ orders that may be issued by the Ministry of Home Affairs from time to time.

Notwithstanding the above, the Ministry of Home Affairs may itself exercise any of the powers should it deem fit to do so in any particular case."

[Refer : Para 1.40 of the new Visa Manual]

7. As per existing provisions, Employment Visa shall not be granted for jobs for which qualified Indians are available. Employment Visa shall also not be granted for routine, ordinary or secretarial/clerical jobs. With a view to bring clarity with regard to this provision, following Note has been added:-

"Note : For the purpose of this sub-para, it may be ensured that the applicant for E-1 or E-2 visas fulfills the conditions prescribed in sub-para (ix) below".

[Refer : Para 4.2(ii) of the new Visa Manual]

8. With a view to bring clarity on the category of visa i.e. Employment or Business visa to be granted, following has been added:-

"(xi) In all cases where the foreigner is paid salary/ remuneration in India, it may be ensured that the foreigner is granted only Employment Visa. In cases where the foreigner is paid salary/ remuneration outside India, he/ she may be granted a Business Visa."

[Refer : Para 4.2(xi) of the new Visa Manual]

9. Existing provisions relating to a lower minimum salary condition of Rs. 9.10 lakhs per annum to be fulfilled for grant of Employment visa to foreign nationals engaged as teaching faculty at the level of Assistant Professors and above by the Central Higher Educational Institutions viz. IITs, Central Universities, NITs, IIMs and Indian Institutes of Science Education and Research (IISERs) **[in para 7.2(ix) of the existing Visa Manual]** have been deleted in the new Visa Manual since the special dispensation was applicable till 31.12.2017 and no proposal for further extending the same was received from the Ministry of Human Resource Development (MHRD).

10. As per existing provisions, Business visa can be extended upto a maximum period of 10 years in India subject to the gross sales/ turnover from the business activities for which the foreigner has been granted visa is not less than Rs. 1 crore per annum (to be achieved within 2 years of setting up the business or date of initial grant of B Visa, whichever is earlier). It has been decided to revise the period for achieving the gross sales/ turnover target of Rs.1 crore from 2 years to 4 years and this has been incorporated in the new Visa Manual.

[Refer : Para 5.7(1) of the new Visa Manual]

11. A specific provision has been incorporated in the new Visa Manual regarding grant of short term Business visa to a visiting faculty for teaching in purely private institutes for short duration

[Refer : Para 5.1(xvi) of the new Visa Manual].

12. As per existing provisions, grant of Tourist visa for 5 years / 10 years is with the stipulation "Continuous stay during each visit shall not exceed 90 days/ 180 days and registration not required". With a view to bring clarity, the words "and registration not required" have now been deleted.

[Refer: para 10.2(i) & (iii) of the new Visa Manual]

13. A specific provision has been incorporated regarding grant of 3-months Tourist visa to persons of Tibet origin who have sought asylum in Canada and have held Certificate of Identity issued by the Indian authorities in the past

[Refer : para 10.2(iv) of the new Visa Manual].

14. Provisions relating to grant of event clearance by MHA in the Chapter on Conference Visa have been modified to bring it clear that in such cases, the organizer of the event concerned shall apply for event clearance of the Ministry of Home Affairs on the online portal <https://conference.mha.gov.in> 60 days in advance of the date of the event. It has also been made clear that no offline/ physical application form requesting for grant of event clearance of MHA will be entertained.

[Refer : Para 12.5 of the new Visa Manual]

15. It has also been provided that organizers desirous of obtaining e-Conference visa for participants from eligible countries shall be required to compulsorily upload all details & documentation on the website of MHA at <https://conference.mha.gov.in>, irrespective of the fact as to whether prior clearance of MHA for holding such an event (i.e. international conference/ seminar/ workshop) is required or not in terms of para 12.3 of the Visa Manual.

[Refer : Note (7) below para 2.2 and note below para 12.5(i) of the new Visa Manual].

16. Provisions relating to Mountaineering Visa have been modified to bring clarity. Consolidated list of 340 mountain peaks so far opened for the purpose of obtaining Mountaineering Visa by foreigners desirous of undertaking mountaineering/ trekking expeditions has been appended to the new Visa Manual (Appendix-XVII). Further, it has been made clear that in respect of mountaineering and trekking peaks which are already opened for

mountaineering & trekking expedition as indicated in Appendix -XVII, no further clearance will be required for grant of Mountaineering (MX) visa to foreigners for undertaking mountaineering expeditions except in the case of nationals of PRC countries i.e. nationals of China, Pakistan, Afghanistan & Bangladesh and persons having their origin in these countries. It is further provided that Visa applications of nationals of such PRC countries for grant of Mountaineering visa will be uploaded by the Indian Missions/ Posts on the PRC module for clearance of security agencies and MHA. Detailed conditions to be adhered to by the foreigners/ Indian Mountaineering Foundation have been incorporated in para 13.1(2) of the new Visa Manual.

[Refer: Paras 13.1 & 13.2 and Appendix- XVII of the new Visa Manual]

17. Existing provision regarding grant of X-Misc. Visa (revised sub-category) **[para 12.1(5) of the existing Visa Manual]** to Diplomats / Officials on a personal (Non-official) visit to India has been deleted since as per **para 16.6(5) of the new Visa Manual [para 19.6(5) of the existing Visa Manual]** for purposes other than diplomatic/ official, holders of diplomatic or official passports should be granted visas of appropriate type in accordance with the purpose of their visit.
18. A specific provision has been provided in Chapter 15 – Student visa that holders of Student visa and Student Dependent visa are not allowed to undertake any job/ occupation / professional or commercial activity during their stay in India and suitable endorsement in this regard shall be made in the Student visa sticker

[Refer : Note (10) below para 15.1 of the new Visa Manual].

19. Provisions relating to grant of visa for pursuing internship in India has been simplified further as indicated below:-
 - (a) As per the existing provision, **S-6 visa** (for internship) will be granted to pursue internship – (a) at any time during the course of study; or (b) immediately after completion of graduation/ post graduation and the commencement of the internship should not be more than two years. Restriction with regard to grant of S-6 visa only on completion of graduation/ post graduation has been removed so that such visa may be granted after completion of any course of study (including diploma courses and undergraduate courses) also. Accordingly, this provision has been modified to the effect that S-6 visa may be granted to pursue internship – (i) at any time during the course of study or (ii) immediately after completion of the course of study but the gap between the completion of course of study and the commencement of the internship should not be more than two years

[Refer : para 15.20(4) of the new Visa Manual].

- (b) As per existing provisions, S-6 visa may be granted for not more than two times for a maximum period of one year each time. This restriction has been removed and the provision has been modified as follows:-

"There will be no restriction with regard to number of times an individual can be granted S-6 visa for pursuing internship in India, but the duration of the visa will be limited to a maximum of one year each time."

[Refer : Para 15.20(3) of the new Visa Manual]

20. A new Agreement on Revised Travel Arrangements (RTA) has been signed between Governments of India and Bangladesh on 15.07.2018. The new RTA provides for grant of Employment visa by the Indian Missions/ Posts for 2 years as against 1 year earlier and grant of Student visa for 3 years as against 2 years earlier. The provisions as per the new RTA signed with Government of Bangladesh have been incorporated in Chapter 17 of the new Visa Manual pertaining to Bangladesh nationals. It has also been provided in Para 17.1B(o) of the new Visa Manual that Indian Missions/ Posts shall exercise due diligence and discretion to ascertain the genuineness of urgency and carry out thorough scrutiny of documents while processing application from Bangladesh nationals in respect of Emergency Services.

[Refer : Paras 17.1, 17.1 A, 17.1 B(h), 17.1 B(i), 17.1B(o) of the new Visa Manual].

21. Provisions relating to grant of Police Clearance Certificate (PCC) have been modified as follows to bring clarity :-

"19.11 Police Clearance Certificate

- (1) A foreigner staying in India, or who has previously resided in India, may sometimes apply for a Police Clearance Certificate (PCC) for obtaining a visa for certain other countries, which require such certificates or for any other purpose. A foreigner staying abroad may apply for such Police clearance certificate to the Indian Mission/ Post concerned indicating the purpose for which such Police Clearance Certificate is required. In such cases, the Indian Mission/ Post concerned may issue such certificates to foreigners who do not figure in the negative list or warning circulars and who do not have any adverse endorsement about their previous stay in India on their passports without reference to the Ministry of Home Affairs. Foreigners residing in India shall apply for such certificate to the FRRO/FRO concerned as per their place of residence indicating the

purpose for which such PCC is required. FRRO/ FRO concerned may issue PCC in such cases after due enquiry and verification of the records of concerned police station through the existing mode available on www.indianfrro.gov.in.

(2) Issue of Police Clearance Certificate to Tibetans

- (i) In the case of a Tibetan staying abroad seeking a Police Clearance Certificate (PCC) with reference to his/ her earlier stay in India, the Indian Mission/ Post concerned may issue the PCC subject to the condition that the Tibetan concerned does not figure in the negative list or warning circulars and does not have any adverse endorsement about his/ her previous stay in India on his/ her Certificate of Identity/ passport.
- (ii) In the case of a Tibetan residing in India seeking a PCC with reference to his/ her stay in India, the FRRO/ FRO concerned may issue the PCC subject to usual checks.

Police Clearance Certificate shall be issued by the Indian Mission/ Post/ FRRO/ FRO as per the formats given in **Appendix – XXVI.**"

[Refer : Para 19.11 and Appendix –XXVI of the new Visa Manual]

22. Based on the amendments issued to the Citizenship Rules, 2009 and instructions issued by the Ministry of Home Affairs, new paras have been added in Chapter 21 of the new Visa Manual pertaining to Overseas Citizen of India (OCI) Cardholder Scheme.

[Refer : Paras 21.1.7, 21.1.9, Note below para 21.1, 21.2.1 & 21.5(6) of the new Visa Manual]

23. Provision relating to acceptance of OCI applications of a foreign national whose Indian spouse is not alive has been amended to bring clarity

[Refer : Para 21.1.4 of the new Visa Manual].

24. Presently, a foreigner (who is eligible to apply for registration as OCI cardholder) on any type of visa (other than Missionary visa and Mountaineering visa) with 3 months validity can apply for registration as OCI cardholder in India. Thus presently, such a foreigner on Tourist visa can also apply for registration as OCI cardholder in India. It has been decided that a foreigner on Tourist visa will not be eligible to apply for registration as OCI cardholder in India. This provision has accordingly been modified in the new Visa Manual as follows:-

141

"Copy of any long duration Visa (other than Tourist visa, Missionary visa and Mountaineering visa) with 3 months validity as on the date of application along with Residential Permit/ Registration Certificate issued by the jurisdictional FRRO/ FRO, as the case may be (applicable in all cases where application is submitted in India)".

[Refer : Para 21.2.2 (3) of the new Visa Manual]

25. As per existing provisions, a foreigner can apply for registration as OCI cardholder to the Indian Mission/ Post having jurisdiction over the country of which the applicant is ordinarily resident. It is also provided that the foreigner can submit application to FRRO concerned if he is 'ordinarily resident' in India. To make the provision regarding 'ordinarily resident in India', following has been incorporated In the new Visa Manual :-

"For the purpose of this para, 'ordinarily resident' will mean a person staying in a particular country or in India for a continuous period of 6 months".

[Refer : Note below Paras 21.2.5 & 21.13.5 of the new Visa Manual]

26. A specific provision has also been incorporated regarding grant of Police Clearance Certificate to OCI cardholders

[Refer : Para 21.14 of the new Visa Manual].

27. As per existing provisions, 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 and 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, at least eight weeks before the date of the expected visit. This provision has been amended to provide that such an application should be referred to MHA for prior approval at least **four weeks** before the date of the expected visit.

[Refer : Para 24.1 (4) of the new Visa Manual]

28. In the existing Chapter on Protected and Restricted Areas, list of Prior Reference Category (PRC) countries for grant of Protected Area Permit (PAP)/ Restricted Area Permit (RAP) is mentioned as foreign nationals of Pakistani origin apart from citizens of Afghanistan, China and Pakistan *[Para 28.1(5)(ii) of the existing Visa Manual]*. The list of PRC countries for this purpose has been modified as citizens of Afghanistan, China and Pakistan and foreign nationals having their origin in these countries in the new Visa

(20)

Manual so as to make the provision in conformity with the provisions elsewhere in the same chapter.

[Refer : Para 24.1(5)(ii) of the new Visa Manual]

29. It has been provided in the Chapter on Regulations applicable to foreigners in India (Chapter 25 of the new Visa Manual) that in the case of Business visa, following endorsements shall be made on the Visa sticker:-

“CONTINUOUS STAY LESS THAN 180 DAYS – NO REGISTRATION”

“IF STAY IN A CALENDAR YEAR EXCEEDS 180 DAYS, REGISTRATION REQUIRED”.

[Refer : Para 25.2(v) of the new Visa Manual]

30. As per existing provisions, Tibetans who were born in India to Tibetan Refugee couples and issued birth certificate by Tibetan Welfare Officer/Tibetan Settlement Officer may be issued registration certificate, on attaining the age of 16 years, on the basis of such certificate issued till 1st January, 2003 clearly indicating on RCs that such birth certificates have been accepted specifically for the purpose of registration only. Words **“on attaining the age of 16 years”** have been deleted in the new Visa Manual as Tibetans are required to register irrespective of their age.

[Refer : Para 26.2.7(i) of the new Visa Manual]
