

No. 25022/06/2005-Imm.
Government of India
Ministry of Home Affairs
Foreigners Division

Circular No 1101

Tourist Visa-on-Arrival for citizens of eleven countries

"Tourist Visa on Arrival Scheme was started on an experimental basis for one year in respect of the citizens of five countries i.e. Japan, Singapore, Finland, Luxembourg and New Zealand, arriving at the airports of New Delhi, Mumbai, Chennai and Kolkata. Guidelines for the Scheme were issued on 30.12.2009. The scheme was extended for the citizens of four more countries, viz. Cambodia, Laos, Vietnam and Philippines w.e.f 1.1.2011. Now it has been decided to extend the Tourist Visa on Arrival scheme for the citizens of Myanmar and Indonesia also.

2. In view of above, the Tourist Visa-on Arrival with a maximum validity of 30 days with single entry facility shall be granted by the Immigration Officers at Delhi, Mumbai, Chennai and Kolkata airports to the citizens of eleven countries viz. Finland, Japan, Luxembourg, New Zealand, Singapore, Cambodia, Laos , Vietnam, Philippines, Myanmar and Indonesia.

3. The grant of a "Tourist Visa-on-Arrival" shall be regulated as per the guidelines prescribed in Chapter 3B of the Visa Manual. The text of the Chapter 3B, regarding "Tourist Visa-on-Arrival", is annex

Chapter-3 B

Tourist Visa-on-Arrival (T-VoA)

42 A. Eligibility

A Tourist Visa-on-Arrival can be granted to a foreigner who is a national of Finland, Japan, Luxembourg, New Zealand, Singapore, Cambodia, Vietnam, Philippines, Laos, Indonesia or Myanmar and:

- i. whose sole objective of visiting India is recreation, sight seeing, casual visit to meet friends or relatives, short duration medical treatment or casual business visit etc. and no other purpose/ activity;
- ii. who does not have a residence or occupation in India;
- iii. who holds a passport with a minimum validity of six months and a re-entry permit, if that is required under the law of the country of nationality of the applicant;
- iv. who is a person of assured financial standing (the production of a return ticket and availability of sufficient money to spend during his stay in India may be considered sufficient for this purpose).
- v. who is not a persona-non-grata to the Government of India;
- vi. who is not considered an undesirable person and is not the subject of a blacklist or any warning circular or other restrictive list:

Note: (i) A citizen from the above-named countries who wants to come to India for a longer duration should be granted a visa of the appropriate category by the Indian Mission / Post concerned.

(ii) This facility shall not be available to the citizens of the above-named countries if the person or either of his / her parents or grand parents (paternal or maternal) was born in, or was permanently resident, in Pakistan. Such persons can visit India only after obtaining an appropriate visa from the Indian Mission/ Post concerned.

42 B. Validity

A Tourist Visa-on-Arrival will be valid for entry and stay in India within the period of its validity subject to the conditions specified. The Immigration officer may grant single entry Tourist Visa-on-Arrival valid up to 30 days to the nationals of Finland, Japan, Luxembourg, New Zealand, Singapore, Cambodia, Vietnam, Philippines, Laos, Indonesia or Myanmar.

Note: The Immigration officer shall invariably put the following unambiguous endorsement on a Tourist Visa-on-Arrival: "**stay not to exceed 30 days (or lesser days as specified) and registration not required**".

42 C. Conditions for Tourist Visa-on-Arrival

Tourist Visa-on-Arrival shall be non-extendable and non-convertible. At the time of issue of the Tourist Visa-on-Arrival, the Immigration Officer must make it clear to the foreigner that a Tourist Visa-on-Arrival can neither be extended nor converted to any other kind of visa during his/her stay in India except in the following circumstances and with the prior approval of the Ministry of Home Affairs:

a) Tourist Visa-on-Arrival may be converted to 'X' (Entry) Visa if a foreigner who has come to India on a Tourist Visa-on-Arrival marries an Indian national during the validity of his/her Tourist Visa-on-Arrival. Such conversion would be considered subject to the fulfilment of the following conditions:

- (i) submission of a copy of registered Marriage Certificate, and
- (ii) report from the concerned FRO/ FRRO about their marital status which will, inter-alia, include his/her antecedents, confirmation about their living together and security clearance.

b) Tourist Visa-on-Arrival of a foreigner who falls ill after his/her entry into India rendering him/her unfit to travel and require specialized medical treatment may be converted into a Medical visa if he/she is eligible for the grant of Medical Visa and a medical certificate is obtained from a government / government recognized hospital. In such cases, Tourist Visa-on-Arrival of the attendant accompanying the foreigner (whose Tourist Visa-on-Arrival is converted into Medical Visa) may also be converted into Medical Attendant [Med X] visa co-terminus with the Medical Visa of the foreigner.

Note: On conversion of a 'Tourist Visa On Arrival' into 'X' visa / Medical Visa/ 'Med X' Visa, the following endorsement shall be made on the Passport / Residential Permit "Employment/Business not permitted".

42 D. Entry Point

The Tourist Visa-on-Arrival will be provided only at designated international airports namely, Delhi, Mumbai, Chennai and Kolkata and NOT at any other Immigration Check Post (ICP).

42 E. Fee for Tourist Visa-on-Arrival

A fee of US \$ 60/- or equivalent amount in Indian rupees per passenger (including children), will be charged from each foreigner for the grant of a Tourist Visa-on-Arrival. Money received from a foreigner by any authority, on account of receipts of the Government of India, must be deposited in the accredited bank of the Ministry/Department. The receipts on account of 'Tourist Visa-on-Arrival', will be deposited by the Foreigners Registration Officers/Civil authorities concerned in the Ministry of External Affairs' account with the Reserve Bank of India through Receipt Challans indicating therein the classification as under; - 0070 - Other Administrative Services 60 - Other Services 117 - Visa Fees

42 F. Repeat visits

Tourist Visa-On-Arrival may be allowed for a maximum of two times in a calendar year to a foreigner with a minimum gap of two months between each visit. All the Immigration Officers shall make the following endorsement on the passport of such foreign nationals who are granted Tourist Visa-On-Arrival:-

"Tourist Visa-on-Arrival shall be non-extendable and non-convertible. Only two visits on a Tourist Visa on-Arrival shall be permissible in a calendar year and there shall be a gap of at least two months between each visit."

42 G The Tourist Visa-on-Arrival facility shall not be applicable to holders of Diplomatic/Official passports. Existing procedures/ guidelines, as applicable to these, countries for this category, shall continue to apply.

42 K. The extant laws / rules / procedures governing entry, stay and exit of the foreigners will apply to the holders of Tourist Visa-on-Arrival. There shall be no deviation from conditions/ procedures outlined above. Under rare and exceptional cases, a specific dispensation in deserving cases may

be considered and granted only with the specific prior approval of the Home Secretary, Ministry of Home Affairs, Government of India.

Note; i. It should be noted that the Tourist Visa-on-Arrival is only a facility to the citizens of the above-named countries who are unable to apply for a visa at the Mission due to some reason. A foreigner who applies for a visa at an Indian Mission and post should, therefore, invariably be granted a visa if he/she is otherwise eligible, instead of being advised to proceed to India without a visa and obtain a Tourist Visa-on-Arrival.

ii. The Tourist Visa on Arrival scheme is to be implemented liberally without compromising national security. A Tourist arriving for a short duration for medical treatment or on casual business or to visit friends, relatives, visit ailing friends/relatives etc. may also be permitted to avail TVOA. The Immigration Officer shall refuse entry only if the foreigner figures in the Blacklist or on other security grounds. Such refusal shall be with the prior approval of the FRRO concerned and with reasons to be recorded in writing.

Government of India
Ministry of Home Affairs
Foreigners Division

Circular No. 395

**Subject : Guidelines regarding conversion of 'X' (Entry) visa of spouse
of an employee on intra-company transfer into
Employment Visa** *****

Employment Visa and Circular no. **388** (F.No.25022/124/2008-F.I) dated 30th September, 2010 conveying certain modifications in para 44 - Conditions for grant of Employment Visa in the revised Chapter 4 of the Visa Manual pertaining to Employment Visa

2. This Ministry has received representations requesting for permitting conversion of 'X' (Entry) visa of the spouse of an employee on intra-company transfer into Employment visa within the country without having to go back to his/her country of origin for obtaining the Employment Visa. The matter has been examined and it has been decided with the approval of the competent authority that **on** application, conversion of 'X' (Entry) visa of the spouse of **an** employee on intra-company transfer into Employment Visa **may be** permitted within the country, subject to the fulfilment of the following conditions:

(i) The applicant will have to fulfill all the conditions laid down for grant of Employment Visa in the revised chapter on Employment Visa circulated vide this Ministry's ID note no. 25022/32/2008-F.I- Vol. 4 dated 31.5.2010 and subsequently modified vide this Ministry's Circular no.388 (F.No.25022/124/2008-F.I) dated 30th September, 2010.

(ii) Conversion of 'X' Visa into Employment Visa in such cases shall be permitted only with the prior approval of the Ministry of Home Affairs (Foreigners Division). All such cases will be processed by the Ministry of Home Affairs (Foreigners Division) after obtaining a report from the FRRO/FRO concerned.

(iii) All other conditions regarding duration of Employment Visa, extension etc. will be governed by the provisions laid down in the

revised chapter 4 of the Visa Manual pertaining to Employment Visa.

3. Suitably modifications in the revised Chapter 4 of the Visa Manual pertaining to Employment Visa are being carried out separately.
4. These instructions shall come into force with immediate effect.

**Government of India
Ministry of Home Affairs
Foreigners Division**

Subject: Grant of OCI registration to foreigners of Indian origin born in India between 1950 and 1987.-clarification regarding.

As per Section 7 A of the Citizenship Act, 1955. any person of full age and capacity, who is citizen of another country but who was citizen of India on or anytime after 26.1.1950, or was eligible to become Indian citizen on 26th January, 1950 or belonged to a territory that became part of India after 15th August, 1947 is eligible to be registered as OCI. Children and grand children of such a person are also eligible to be registered as OCI.

2. It has been brought to notice of this Ministry that the class of people who are born between 26.1.1950 and 30.6.1987 but never opted for Indian citizenship and obtained the nationality of some other country are now applying for OCI claiming that they are Indian citizen by birth. They quote the clause 3(1) (a) of the Citizenship Act, 1955, which states that every person born in India on or after 26th day of January, 1950 but before the 1st day of July, 1987 shall be citizen of India by birth

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3. As per existing clause 3(1) (a) of the Indian Citizenship Act, 1955 every person born in India on or after 26th January, 1950 but before first day of July, 1987 shall be citizen of India by birth. Further, as per Section 7(A)((a)(i) any person of full age and capacity and who is citizen of another country, but was a citizen of India at the time of, or at any time after, the commencement of the Constitution is eligible to become OCI.

4 With the approval of competent authority, it is clarified that if a person was born between 26.1.50 and 1.7.1987 in India, whether having any ancestral linkage in India or not, shall be a citizen of India. If the descendents of such a person wish to avail of the benefit of OCI scheme, it is legal that they get the benefit. For such applicants there is no requirement to prove their Indian origin except for adducing evidence to show that their claim is derived from a person born in India between 26 1.1950 and 1.7.1987.

5. This clarification may be brought to the notice of all concerned.