

## **Frequently Asked Questions (FAQs)**

### **1. Who is eligible to apply?**

Following categories of foreign nationals are eligible for registration as Overseas Citizen of India (OCI) Cardholder:-

- (1) Who was a citizen of India at the time of, or at any time after the commencement of the Constitution i.e. 26.01.1950; or
- (2) who was eligible to become a citizen of India on 26.01.1950; or
- (3) who belonged to a territory that became part of India after 15.08.1947; or
- (4) who is a child or a grandchild or a great grandchild of such a citizen; or
- (5) who is a minor child of such persons mentioned above; or
- (6) who is a minor child and whose both parents are citizens of India or one of the parents is a citizen of India; or
- (7) spouse of foreign origin of a citizen of India or spouse of foreign origin of an Overseas Citizen of India Cardholder registered under section 7A of the Citizenship Act, 1955 and whose marriage has been registered and subsisted for a continuous period of not less than two years immediately preceding the presentation of the application.

Note : No person, who or either of whose parents or grandparents or great grandparents is or had been a citizen of Pakistan, Bangladesh or such other country as the Central Government may, by notification in the Official Gazette, specify, shall be eligible for registration as an Overseas Citizen of India Cardholder.

### **2. Who was eligible to become Citizen of India on 26.01.1950?**

Any person who, or either of whose parents or any of whose grandparents was born in India as defined in the Government of India Act, 1935 (as originally enacted), and who was ordinarily residing in any country outside India was eligible to become citizen of India on 26.01.1950.

**3. Which territories became part of India after 15.08.1947 and from what date?**

The territories which became part of India after 15.08.1947 are:

- (i) Sikkim - 26.04.1975
- (ii) Puducherry - 16.08.1962
- (iii) Dadra & Nagar Haveli - 11.08.1961
- (iv) Goa, Daman and Diu - 20.12.1961

**4. Can the spouse of the eligible person apply for registration as OCI Cardholder?**

A spouse of eligible person can apply if he/she is eligible in his/her own capacity.

Further, spouse of foreign origin of a citizen of India or spouse of foreign origin of an Overseas Citizen of India Cardholder registered under section 7A of the Citizenship Act, 1955 and whose marriage has been registered and subsisted for a continuous period of not less than two years immediately preceding the presentation of the application can apply.

**5. Can Minor children apply for registration as OCI Cardholder?**

Yes. However, if either of the child's parents or grandparents or great grandparents is or had been a citizen of Pakistan, Bangladesh or such other country as the Central Government may, by notification in the Official Gazette, specify, the child will not be eligible for registration as an Overseas Citizen of India Cardholder.

**6. In what form should a person apply for registration as an OCI Cardholder and where are the forms available?**

Applications for registration as OCI Cardholder is to be submitted only on the online system. For this purpose, please log on to <https://passport.gov.in/oci>.

**7. What documents have to be submitted with the application?**

List of supporting documents to be uploaded along with the application are :-

- (1) Proof of present citizenship – Copy of present valid passport (applicable in all cases), with validity of minimum 6 months at the time of submission of application.
- (2) In case application is submitted in India, copy of any type of Visa (other than Missionary Visa and Mountaineering Visa)/ Residential Permit with 3 months validity as on the date of application.
- (3) Evidence of self or parents or grandparents or great grandparents-
  - (a) Being a citizen of India at the time of, or at any time after the commencement of the Constitution i.e. 26.01.1950; or
  - (b) Being eligible to become a citizen of India at the time of commencement of the Constitution i.e. 26.01.1950; or
  - (c) Belonging to a territory that became part of India after 15<sup>th</sup> August, 1947.

These could be:

- (i) Copy of the Indian Passport; or
  - (ii) Copy of the Domicile Certificate issued by the Competent Authority; or
  - (iii) Copy of Nativity Certificate from the competent authority; or
  - (iv) OCI Card/ PIO card of parents/ spouse along with the base papers/ documents upon which the OCI/ PIO card was issued; or
  - (v) Any other proof substantiating the request. Usually applicants are able to submit a certificate of residence or place of birth of self/parents/grandparents from First Class Magistrate/District Magistrate (DM) of the concerned place.
- (4) Evidence of relationship as parent/grandparent/ great grandparent, if their Indian origin is claimed as basis for registration as OCI Cardholder:

The document of relationship could be “Birth Certificate” issued from competent authority mentioning both parents’ name. In case the birth certificate is issued by a foreign authority, it is to be Apostled or endorsed by the concerned Indian Mission abroad.

(5) In case of minor child whose both parents are citizens of India or one of the parents is a citizen of India –

- (i) Copy of child’s birth certificate
- (ii) Copy of Indian passport of the parents / one of the parents or copy of the Domicile Certificate or Nativity Certificate issued by the Competent Authority in respect of the parents/ one of the parents or any other proof substantiating the status of the parents/ one of the parents as being Indian citizen(s).
- (iii) If the parents are divorced, court order of dissolution of marriage, which specifically mentions that the legal custody of the child is with the parent who is applying for the OCI card.

(6) Evidence as spouse of foreign origin of a citizen of India or spouse of foreign origin of an OCI Cardholder –

- (i) Registered marriage certificate; and
- (ii) In the case of spouse of an Indian citizen - copy of the Indian Passport of the spouse or copy of the Domicile Certificate or Nativity Certificate issued by the Competent Authority in respect of the Indian spouse or any other proof substantiating the status of the spouse as being an Indian citizen.
- (iii) In the case of spouse of an OCI Cardholder - Copy of the present valid Passport of the spouse and copy of the OCI Card of the spouse and copies of the documents upon which the OCI Card was issued to the spouse

(7) **In case of applications of Canadian nationals for registration as OCI cardholder**, following documents should also be submitted:-

- (a) Landing paper/ Work Permit of applicant/ sponsor

- (b) If landing paper at Column 19 shows FC (Family Class), then-
  - (i) Letter from Canadian Immigration and Refugee Board
  - (ii) A notarized affidavit pleading that neither the applicant nor the sponsor has sought Refugee status in Canada
- (c) Last Canadian address
- (d) Last Canadian Visa copy

(7) Application Fee - till such time, the online payment facility is introduced –

- (a) in case of application submitted in Indian Mission/ Post abroad - By way of Demand Draft for US \$ 275 for each applicant or equivalent in local currency.
- (b) in case application is submitted in India - a fee of Rs.15,000/- by way of Demand Draft drawn in favour of “Pay and Accounts Officer (Secretariat), Ministry of Home Affairs” payable at New Delhi.

**8. What are the requirements to be fulfilled by erstwhile PIO cardholders for registration as OCI Cardholder?**

In terms of the notification issued by the Ministry of Home Affairs on 9<sup>th</sup> January, 2015, all the existing PIO Card holders as on 9.1.2015 shall be deemed to be OCI Cardholders. However, all persons having valid PIO cards as on 9<sup>th</sup> January, 2015 are advised to apply for registration as OCI cardholder in view of the following advantages in possessing an OCI card:-

- (a) OCI card is a smart card
- (b) Possession of an OCI card will facilitate quicker immigration clearance at the Immigration Check Posts
- (c) It will help in obtaining various Consular Services from the Indian Missions
- (d) For those who are resident in India, it will facilitate in availing various services in India.

The date for submission of applications for registration as OCI cardholder in lieu of the PIO card online has been extended till **30<sup>th</sup> June, 2017**. This cutoff date will be only for submission of the applications online by the applicants. A separate online

application form for submission of application for registration as OCI cardholder in lieu of PIO card is available in the website <https://passport.gov.in/oci/>

The erstwhile PIO cardholder with a valid PIO card as on 9.1.2015 will have to upload only the following documents with his/ her application:-

- (a) Copy of the valid Passport
- (b) Copy of the PIO card

The applicants can submit the applications online from anywhere. The grant of OCI card in lieu of the PIO card will be on a gratis basis.

The OCI card shall be issued by the Indian Mission/ Post/ FRRO concerned within the jurisdiction of the applicant's place of residence. The applicant will have to approach the Indian Mission/ Post/ FRRO concerned only for collecting the OCI Card by surrendering the PIO card.

**9. What are the specifications for the Photograph?**

Photograph to be affixed on the application should be of square shape of size not less than 51x 51 mm (with 80% coverage of face). It should have plain light color background (not white) without the border with front view of person's head and shoulders showing the full face in middle of the photograph. It should not be stapled and should not have any signature.

Photographs that do not conform to the above standards will be rejected and may cause delay in processing the applications.

**10. How many copies of application have to be submitted?**

Only one set of Application has to be submitted for each applicant.

**11. Whether applicant(s) have to go to the Indian Mission/ Post/ FRRO concerned to submit hard copy of the application (s)?**

Hard copy of the applications are not to be submitted. However, after submission of the application online along with supporting documents, photograph and signature, the applicants have to submit the original supporting documents to the Indian Mission/ Post/ FRRO concerned for prior verification.

**12. Whether the applicant (s) have to take oath before the Counsel of the Indian Mission/Post?**

No. Earlier provision in this regard has been done away with.

**13. Where to submit the original documents?**

Details of offices where the applicants have to submit the original supporting documents for prior verification are as follows:-

**Applicants outside India**

- (1) The Indian Mission /Post having jurisdiction over the country of which applicant is a citizen; or
- (2) If he/she is not living in the country of his/her citizenship, to the Indian Mission /Post having jurisdiction over the country of which the applicant is **ordinarily resident**.

**Applicants in India**

If the applicant is residing in India, to the Foreigners Regional Registration Offices (FRROs) according to their jurisdictional control. To know the jurisdiction of FRROs, please see "Addresses of offices to submit OCI applications" in the website of the Ministry of Home Affairs – [www.mha.nic.in](http://www.mha.nic.in).

**14. Can a person apply in the country where he is ordinarily residing?**

Yes.

**15. What are the consequences of furnishing wrong information or suppressing material information?**

If the registration as an OCI Cardholder was obtained by means of fraud, false representation or the concealment of any material fact, the registration as OCI Cardholder shall be cancelled under section 7D of the Citizenship Act, 1955. The person will also be blacklisted thereby banning his/her future entry into India.

**16. What is the fee for application for registration as an OCI?**

In case of applications submitted to the Indian Mission/ Post abroad – US \$ 275 or equivalent in local currency for each

applicant. In case of application submitted in India, the fee is Rs.15,000/- .

**17. What is the time taken for registration as OCI?**

In all cases, other than the application submitted as a spouse of foreign origin of a citizen of India or spouse of foreign origin of an OCI Cardholder, if there is no adverse information available against the applicant, the Indian Mission/Post/ FRRO concerned shall register a person as an OCI Cardholder within 30 days of the date of acknowledgement. If there is any adverse information against the applicant, final decision to grant registration as OCI cardholder or otherwise will be taken within 120 days.

In the case of application submitted as a spouse of foreign origin of a citizen of India or spouse of foreign origin of an OCI Cardholder, the person shall be registered as an OCI Cardholder only after prior clearance of the Ministry of Home Affairs (Foreigners Division) in terms of the proviso to clause (d) of sub-section (1) of section 7A of the Citizenship Act, 1955 as incorporated by the Citizenship (Amendment) Act, 2015 notified on 10<sup>th</sup> March, 2015. In all such cases, it is expected that the final comments/ clearance of the Ministry of Home Affairs (Foreigners Division) shall be uploaded on the online system within 30 days of acknowledgement of the application.

**18. If the registration as an OCI Cardholder is not granted, what amount will be refunded?**

If registration is refused, an amount of US \$ 250 or equivalent in local currency shall be refunded. US \$ 25 is the processing fees, which is non-refundable. In case of application submitted in India, the processing fee is Rs.1400/-, which is non- refundable.

**19. What will be issued after registration as an OCI?**

After grant of registration, a registration certificate in the form of a booklet will be issued. This will serve as a life-long multiple entry visa to visit India. The OCI booklet can be collected by the person or by an authorized person. The condition is that the applicant should be physically present in the country of issuance of OCI cardholder registration booklet when it is collected through an authorized person. If a person is not in a position to travel to the country of issuance of the OCI cardholder registration booklet, he/she could procure it through the concerned Indian Mission/ FRRO of their present place of stay by making a formal request to



the office issuing the OCI Cardholder registration booklet.

**20. Whether the 'U' Visa sticker will be pasted on the passport?**

No. Instructions have been issued on 29<sup>th</sup> January, 2015 to all Indian Missions/ Posts, FRROs etc. conveying the decision to dispense with the 'U' (Universal) visa sticker on the foreign passport of OCI card holders with immediate effect. It has been advised that immigration authorities in ICPs should not insist on production of foreign passport containing the 'U' visa sticker in the case of OCI cardholders while they enter/ exit India.

**21. Will a separate OCI passport be issued?**

No.

**22. Will a duplicate certificate of registration as an OCI Cardholder will be issued?**

Yes. For this purpose, an application has to be made to the Indian Mission/Post/ FRRO with evidence for loss of certificate of registration. In the case of mutilated/damaged certificate of registration, an application has to be made enclosing the same. The applications in both the cases are to be submitted to the concerned Indian Mission/ Post/FRRO along with payment of a fee of US \$ 100 or equivalent in local currency in case of application submitted to Indian Missions/ Posts abroad & Rs.5500/- in case of application submitted in India.

**23. Will the applicant lose his citizenship after registering as an OCI Cardholder?**

No.

**24. Can a person registered as an OCI Cardholder travel to protected area/restricted area without permission?**

No. He/she will be required to obtain Protected Area Permit/ Restricted Area Permit for such visits.

**25. Would the Indian civil/criminal laws be applicable to persons registered as OCI Cardholder?**

Yes, for the period the OCI Cardholder is living in India.

**26. Can a person registered as an OCI Cardholder be granted Indian citizenship?**

Yes. As per section 5(1)(g) of the Citizenship Act,1955, a person registered as an OCI cardholder for 5 years and who is ordinarily resident in India for twelve months before making an application for registration is eligible for grant of Indian citizenship. Central Government, if it is satisfied that special circumstances exist, may after recording the circumstances in writing, relax the period of twelve months, up to a maximum of thirty days which may be in different breaks.

**27. Will any category of persons be registered as an OCI Cardholder on gratis basis?**

No. However, registration as OCI cardholder in lieu of PIO card will be on gratis basis.

**28. What are the benefits to an OCI Cardholder?**

- (i) Multiple entry lifelong visa for visiting India for any purpose (However OCI Cardholders will require a special permission to undertake research work in India for which they may submit the application to the Indian Mission/ Post/ FRRO concerned).
- (ii) Exemption from registration with Foreigners Regional Registration Officer (FRRO) or Foreigners Registration Officer (FRO) for any length of stay in India.
- (iii) Parity with Non-Resident Indians (NRIs) in respect of all facilities available to them in economic, financial, and educational fields **except in matters relating to the acquisition of agricultural or plantation properties.**
- (iv) Registered Overseas Citizen of India Cardholder shall be treated at par with Non-Resident-Indians in the matter of inter-country adoption of Indian children.
- (v) Registered Overseas Citizen of India Cardholder shall be treated at par with resident Indian nationals in the matter of tariffs in air fares in domestic sectors in India.
- (vi) Registered Overseas Citizen of India Cardholder shall be charged the same entry fee as domestic Indian visitors to visit national parks and wildlife sanctuaries in India.

- (vii) Parity with Non-Resident Indians(NRI) in respect of:-
- (A) entry fees to be charged for visiting the national monuments, historical sites and museums in India;
  - (B) pursuing the following professions in India, in pursuance of the provisions contained in the relevant Acts, namely:-
    - (a) doctors, dentists, nurses and pharmacists;
    - (b) advocates;
    - (c) architects;
    - (d) chartered accountants;
  - (C) to appear for the All India Pre-Medical Test or such other tests to make them eligible for admission in pursuance of the provisions contained in the relevant Acts.
- (viii) State Governments should ensure that the OCI Cardholder registration booklets of OCI Cardholders are treated as their identification for any services rendered to them. In case proof of residence is required, Overseas Citizens of India Cardholder may give an affidavit attested by a notary public stating that a particular/specific address may be treated as their place of residence in India and may also in their affidavit give their overseas residential address as well as e-mail address, if any.

Any other benefits to an OCI Cardholder will be notified by the Ministry of External Affairs (MEA) under section 7B(1) of the Citizenship Act, 1955.

**29. What are the benefits to which the OCI Cardholder is not entitled to?**

The OCI Cardholder is not entitled to vote, be a member of Legislative Assembly or Legislative Council or Parliament, cannot hold Constitutional posts such as President, Vice President, Judge of Supreme Court or High Court etc. The OCI Cardholder shall not be entitled for appointment to public services and posts in connection with the affairs of the Union or of any State except for appointment in such services and posts as the Central Government may, by special order, in that behalf, specify. Further, the OCI Cardholder cannot acquire agricultural or plantation properties in India.

**30. If a person is already holding more than one nationality, can he/she apply for registration as OCI Cardholder?**

Yes.

**31. Whether an OCI Cardholder be entitled to apply for and obtain normal Indian passport which is given to a citizen of India?**

No. Indian Passport is given only to an Indian citizen.

**32. Whether nationals of Commonwealth countries are eligible for registration as OCI Cardholder?**

Yes, if they fulfill the eligibility criteria.

**33. Can a person renounce his/her registration as OCI Cardholder?**

Yes. He/she has to make a declaration renouncing the Card registering him/her as an OCI Cardholder to the Indian Mission/Post/FRRO from where the registration as OCI Cardholder was granted. After receipt of the declaration, the Indian Mission/Post/FRRO shall issue an acknowledgement in the prescribed form. Upon such registration of the declaration, the person shall cease to be an OCI Cardholder. Where a person ceases to be an OCI Cardholder, the spouse of foreign origin of that person who has obtained OCI Card under clause (d) of sub-section (1) of section 7A and every minor child of that person registered as an OCI Cardholder shall thereupon cease to be an OCI Cardholder.

**34. Can an OCI holder undertake Research work in India?**

Yes, after getting prior approval/special permission from the Indian Mission/Post/FRRO concerned.

**35. Whether foreign military personnel are eligible for grant of OCI?**

No, foreign military personnel either in service or retired are not entitled for grant of OCI.

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