

Frequently Asked Questions – Overseas Citizen of INDIA.

1. Who is eligible to apply?

A foreign national, who was eligible to become a citizen of India on 26.01.1950 or was a citizen of India on or at anytime after 26.01.1950 or belonged to a territory that became part of India after 15.08.1947 and his/her children and grand children, is eligible for registration as an Overseas Citizen of India (OCI). Minor children of such person are also eligible for OCI. However, if the applicant had ever been a citizen of Pakistan or Bangladesh, he/she will not be eligible for OCI.

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

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person who, or whose parents or grand-parents were born in India as defined in the Government of India Act, 1935 (as originally enacted), and who was ordinarily residing in any country outside India was eligible to become citizen of India on 26.01.1950.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

Yes, if he/she is eligible in his/her own capacity.

5. Can Minor children apply for OCI?

Yes, if either of the parents is eligible for OCI.

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

A family consisting of spouses and up to two minor children can apply in the same form i.e. Form XIX, which can be filed online or downloaded from MHA website.

7. Can application form be filled and submitted on line?

Yes. Part A of the application form can be filed online. Part B can be downloaded and printed on computer or by hand in Block letters. Printed Part A and Part B of the application form has to be submitted to the Indian Mission/Post/Office.

8. What documents have to be submitted with the application?

The following documents shall be enclosed for each applicant:

1. Proof of present citizenship
2. Evidence of self or parents or grand parents,
 - (a) being eligible to become a citizen of India at the time of commencement of the Constitution; or
 - (b) belonging to a territory that became a part of India after 15 th August, 1947; or
 - (c) being a citizen of India on or after 26 th January, 1950These could be:
 - (i) Copy of the passport: or
 - (ii) Copy of the domicile certificate issued by the Competent authority; or
 - (iii) Any other proof.
3. Evidence of relationship as parent/grand parent, if their Indian origin is claimed as basis for grant of OCI.
4. Application fee by way of Demand Draft (US \$ 275 for each applicant or equivalent in local currency; US \$ 25 or equivalent in local currency for each PIO card holder). In case of application filled in India, fee Rs.15,000/- for general category and for PIO card holders Rs.1,400/- to be paid by way of Demand Draft.
5. PIO card holders should submit a copy of his/her PIO card.

9. What documents would qualify for “Any other proof” for evidence of self or parents or grand parents being eligible for grant of an OCI?

Any documentary evidence like a school certificate, land ownership certificate, birth certificate etc. by which eligibility may be reasonably ascertained.

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

Application has to be submitted in duplicate for each applicant.

11. Whether applicant(s) have to go in person to submit the application (s)?

No. Application(s) can be sent by post either by Speed post or Registered post only and not through Courier.

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 application?

To the Indian Mission/ Post of the country of citizenship of the applicant. If the applicant is not in the country of citizenship, to the Indian Mission/Post of the country where he is ordinarily residing. If the applicant is in India, to the FRRO Delhi, Mumbai, Kolkata or Amritsar or to FRRO, Chennai or to the Under Secretary, OCI Cell, Citizenship section, Foreigners Division, Ministry of Home Affairs (MHA), NDCC-II Building, Jai Singh Road, New Delhi-110001.

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?

All the applications will be subject to pre or post enquiry depending on whether any adverse information is voluntarily reported in the application or not. If the Government comes to the know that any false information was furnished or material information was suppressed, the registration as OCI already granted shall be cancelled by an order under section 7D of the Citizenship Act, 1955. The persons will also be blacklisted thereby banning his/her entry into India.

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

US \$ 275 or equivalent in local currency for each applicant.

In case of PIO card holder, US \$ 25 or equivalent in local currency for each applicant.

In case of application filled in India, fee Rs.15,000/- for general category and for PIO card holders Rs.1,400/- to be paid by way of Demand Draft.

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

Within 30 days of the application, if there is no adverse information available against the applicant. If any adverse information is available against the applicant, the decision to grant or otherwise is taken within 120 days.

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

An amount of US \$ 250 or equivalent in local currency shall be refunded, if registration is refused. US \$ 25 is the processing fees, which is non-refundable. In case application filled in India, Rs.1,400/- will be non-refundable being processing fees.

19. Can a PIO Cardholder apply?

Yes, provided he/she is otherwise eligible for grant of OCI like any other applicant.

20. Will the PIO Cardholder be granted an OCI registration gratis?

No. He/she has to make a payment of US \$ 25 or equivalent in local currency along with the application & Rs.1,400/- in case of application is filled in India.

21. Will the PIO card be honoured till the time it is valid even after acquisition of an OCI?

No. PIO card will have to be surrendered to the Indian Mission/Post/MHA for grant of OCI registration certificate and an OCI 'U' visa sticker.

22. What will be issued after registration as an OCI?

A registration certificate in the form of a booklet will be issued and a multiple entry, multi-purpose OCI 'U' visa sticker will be pasted on the foreign passport of the applicant. For this purpose, the applicant has to send the original passport to the Indian Mission/Post after receipt of the acceptance letter/ verifying the status of the application online.

23. Will a separate OCI passport be issued?

No.

24. Will a duplicate certificate of registration as an OCI will be issued?

Yes. For this purpose, an application has to be made to the Indian Mission/Post with evidence for loss of certificate. In the case of mutilated/damaged certificate an application has to be made enclosing the same. The applications in both the cases have to be made to the same Indian Mission/ Post which issued the certificate along with payment of a fee of US \$ 25 or equivalent in local currency & Rs. 1,400/- in case of application is filled in India.

25. Will a new OCI visa sticker be pasted on the new foreign passport after the expiry of the old passport?

Yes. On payment of requisite fee, a new OCI 'U' visa sticker will be issued. However, the applicant can continue to carry the old passport wherein the OCI 'U' visa sticker was pasted along with new passport for visiting India without seeking a new visa, as the visa is lifelong.

26. Will the applicant lose his citizenship after registering as an OCI?

No.

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

No. He/she will be required to seek PAP/RAP for such visits.

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

Yes, for the period OCI is living in India.

29. Can a person registered as an OCI be granted Indian citizenship?

Yes. As per the provisions of section 5(1) (g) of the Citizenship Act, 1955, a person who is registered as an OCI for 5 years and is residing in India for 1 year out of the above 5 years, is eligible to apply for Indian Citizenship.

30. Will an OCI be granted gratis to certain categories of people?

No.

31. Can OCI be granted to foreign nationals who are not eligible for OCI, but married to persons who are eligible for OCI?

No.

32. Will foreign-born children of PIO's be eligible to become an OCI?

Yes, provided one of the parents is eligible to become an OCI.

33. What are the benefits of an OCI?

Following benefits will be allowed to an OCI:

- (a) Multi-purpose, multiple entry, lifelong visa for visiting India.
- (b) Exemption from registration with local police authority for any length of stay in India.
- (c) Parity with NRI's in respect of economic, financial and education fields except in matters relating to the acquisition of agricultural/plantation properties.

34. Will any other benefit be granted to an OCI?

Any other benefits to an OCI will be notified by the Ministry of Overseas Indian Affairs (MOIA) under Section 7B (1) of the Citizenship Act, 1955.

35. Is the OCI entitled to voting rights?

No.

36. Is the OCI entitled to hold constitutional post in India?

No.

37. Is the OCI entitled to hold Government posts in India?

No, except for the posts specified by an order by the Central Government.

38. If a person is already holding more than one nationality, can he/she apply for OCI?

Yes.

39. What are the advantages of the OCI when compared to PIO cardholders?

(i) An OCI is entitled to life long visa with free travel to India whereas for a PIO card holder, it is only valid for 15 years.

(ii) A PIO cardholder is required to register with local Police authority for any stay exceeding 180 days in India on any single visit whereas an OCI is exempted from registration with Police authority for any length of stay in India.

(iii) An OCI gets a specific right to become an Indian Citizen as in whereas the PIO card holder does not have this.

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

No. Indian Passports are given only to Indian citizen.

41. Whether nationals of Commonwealth countries are eligible for the OCI?

Yes, if they fulfill the eligibility criteria.

42. Can a person renounce OCI?

Yes. He/she has to declare intention of renunciation in Form XXII to the Indian Mission/Post where OCI registration was granted. After receipt of the declaration, the Indian Mission/Post shall issue an acknowledgement in Form XXII A.

43. Do the applicants who have applied on the earlier prescribed application form have to apply again in the new form?

No. All such applications will be considered for registration as an OCI without seeking fresh applications and fees.