# MINISTRY OF HOME AFFAIRS

# FOREIGNERS DIVISION

# F. No. — 26011/Misc./47/2019 — OCI

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**OVERSEAS CITIZENSHIP OF INDIA (OCI) CARDHOLDER**

**FREQUENTLY ASKED QUESTIONS (FAQs)**

## 1. Who is eligible to apply for registration as OCI cardholder?

As per section 7A of The Citizenship Act, 1955 (57 of 1955), following categories of foreign nationals are eligible for registration as Overseas Citizen of India (OCI) Cardholder:-

**(a)** Any person of full age and capacity:-

**(i)** who is a citizen of another country, but 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

**(ii)** who is a citizen of another country, but was eligible to become a citizen of India at the time of the commencement of the Constitution i.e. on 26.01.1950; or

**(iii)** who is a citizen of another country, but belonged to a territory that became part of India after 15.08.1947; or

**(iv)** who is a child or a grandchild or a great grandchild of such a citizen; or

**(b)** a person, who is a minor child of a person mentioned in (a) above; or

**(c)** a person, who is a minor child, and whose both parents are citizens of India or one of the parents is a citizen of India; or

**(d)** 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.

Such spouse shall be subjected to prior security clearance by competent authority in India.

**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of whose parents or any of whose grandparents was born in India as defined in the Government of India Act, 1935 (as originally enacted), and who was ordinarily residing in any country outside India was eligible to become citizen of India on 26.01.1950.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)** Dadra & Nagar Haveli - 11.08.1961

**(ii)** Goa, Daman and Diu - 20.12.1961

**(iii)** Puducherry - 16.08.1962

**(iv)** Sikkim - 26.04.1975

## 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://ociservices.gov.in.

## 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 —**

**(a)** Copy of present valid passport (applicable in all cases), with validity of minimum 6 months at the time of submission of application.

**(b)** Copy of the certificate of registration of citizenship/naturalization (as the case may be), for the present nationality of the applicant (applicable in all cases).

**(c)** Cancelled/ Surrendered Indian passport with Surrender Certificate (for those who have surrendered Indian passport in or after 2010).

**2. Evidence of address of the place of application -**

(i) Copy of the Electricity Bill/ Telephone Bill in own/ parents/ grandparents/ spouse name.

(ii) If the above is in any other relative's name, undertaking from the relative stating that the foreigner is residing with him/ her.

(ii) Lease License in case of tenants.

**3. In case application is submitted in India -**

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).

**[Foreign nationals holding Tourist Visa, Missionary visa and Mountaineering visa cannot apply for registration as an OCI cardholder in India]**

**4. Evidence of self or parents or grandparents or great grandparents -**

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

(a) Being eligible to become a citizen of India at the time of commencement of the Constitution i.e. 26.01.1950: or

(b) Belonging to a territory that became part of India after 15th August, 1947. These could be:

(i) Copy of the Indian Passport; or

(ii) Copy of the Domicile Certificate issued by the Competent Authority; or

(ii) Copy of Nativity Certificate from the competent authority; or

(iv) PIO/ OCI card of parents/ spouse along with documents to prove Indian origin; 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.

**(5) Evidence of relationship as parent/ grandparent/ great grandparent, if their Indian origin is claimed as basis for registration as OCI Cardholder -**

(a) 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/ concerned foreign Mission in India.

Note : 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. If the court order is in any foreign language, translation in English or Hindi by authorized translator is to be enclosed.

(b) Birth Certificate from Birth Registrar to be supported by (i) Education documents, if any and (ii) Documents of inherited landed property, if any.

(c) Marriage Certificate of parents (If not available, reasons for same).

**(6) 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).Marriage Certificate of parents (if no marriage certificate is available,reasons for same to be indicated)

(iii).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).

(iv).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. If the court order is in any foreign language, translation in English or Hindi by authorized translator is to be enclosed.

**7. 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.

(iv).Declaration from the Indian/ OCI Cardholder spouse stating that in case of divorce/ separation/ death of foreign spouse, it is his/ her responsibility to surrender the OCI Card to the Government of India.

Note: In all cases where the Marriage Certificate is to be submitted, the following guidelines will be applicable:-

(i) If the marriage is solemnized in India, Marriage certificate issued by Marriage Registrar is required. A

(ii) If the marriage is solemnized in foreign country, it should be apostled/ certified by the concerned Indian Mission/ Post.

(iii) If the Marriage Certificate is in any foreign language other than English, it should be translated in English by authorized translator.

**Note: Only one living spouse duly fulfilling the conditions laid down in clause (d) of sub-section (1) of section 7A of The Citizenship Act, 1955 shall be registered as an Overseas Citizen of India Cardholder.**

### 8. What is the application fee payable for registration as OCI cardholder?

(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.

### 9. What are the specifications of the photograph to be uploaded with the application?

Photograph to be uploaded 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.

The height and width of the applicant photo must be equal. The minimum dimensions are 200 pixels (width) x 200 pixels (height). The maximum dimensions are 900 pixels (width) x 900 pixels (height).

The images of the photograph and signature must be in JPEG/ JPG format with max size 200 KB.

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

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

After submission of the complete application online including documents, photograph and signature, the applicants are required to bring only the originals of the supporting documents to the Indian Mission/ Post/ FRRO concerned for prior verification. They are not required to bring hard copies/ printouts of the application or the photocopies of the uploaded documents.

### 11. 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.

### 12. Where the applicant has to bring the original documents for verification?

The originals of the documents are to be submitted to the Indian Mission/ Post having jurisdiction over the country of which the applicant is a citizen or 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 a resident.

In case the applicant is residing in India, the originals of the documents will have to be submitted to the FRRO concerned. Details of FRROs along with their jurisdiction are given below:-

| S.No. | FRRO Office | States/ UTs (jurisdiction) |
|---|---|---|
| 1 | FRRO, Amritsar | Punjab, Jammu & Kashmir and Chandigarh |
| 2 | FRRO, Bengaluru | Karnataka |
| 3 | FRRO, Chennai | Tamilnadu, Puducherry and Andaman & Nicobar islands |
| 4 | FRRO, Delhi | Delhi, Haryana, Rajasthan, Himachal Pradesh, Uttarakhand, Gautam Budh Nagar & Ghaziabad districts of Uttar Pradesh. |
| 5 | FRRO, Hyderabad | Andhra Pradesh, Telangana, Odisha and Chhattisgarh |
| 6 | FRRO, Kochi | Kerala (excluding jurisdiction of other FRROs in Kerala) |
| 7 | FRRO, Kolkata | West Bengal, Sikkim, Assam, Arunachal Pradesh, Mizoram, Nagaland, Manipur, Meghalaya and Tripura |
| 8 | FRRO, Kozhikode(Calicut) | Kerala (excluding jurisdiction of other FRROs in Kerala) |
| 9 | FRRO, Lucknow | Uttar Pradesh (except Gautam Budh Nagar & Ghaziabad districts), Bihar and Jharkhand |
| 10 | FRRO, Mumbai | Maharashtra, Madhya Pradesh and Daman & Diu.<br>Till further orders, cases pertaining to Goa and id & Nagar Haveli will also be handled by the FRRO, Mumbai |
| 11 | FRRO Thiruvananthapura | Kerala (excluding jurisdiction of other FRROs in Kerala) and Lakshadweep |
| 12 | FRRO, Ahmedabad | Gujarat |

For addresses and contact details of FRROs, please log on to https://boi.gov.in/content/frro-contact-list

**Note: For the above purpose, 'ordinarily resident' will mean a person staying in a particular country or in India for a continuous period of 6 months.**

If there is any deficiency in the application/ uploaded documents/ photograph, the Indian Mission/Post/FRRO concerned shall inform the same to the applicant by email. The applicant may then submit the required documents to the Indian Mission/ Post/ FRRO concerned, who will take necessary action to upload the same on the online system.

After verification of the documents with the originals and confirming that the application along with all the documents submitted are in order, the Indian Mission/Post/FRRO concerned shall acknowledge the receipt of the application on the online system and simultaneously an auto email will be sent to the applicant informing "**Application received and is under process**". Thereafter, the originals of the supporting documents will be returned to the applicant.

## 13.Will there be a personal interview at the Indian Mission/ FRRO concerned?

There will be a mandatory verification step of personal interview (either physical or through video conference) of all OCI applicants who apply for registration as an OCI Cardholder under section

7A(1)(d) of The Citizenship Act, 1955 (i.e. spouse basis). This personal interview shall be conducted by the Indian Mission/ Post! FRRO concerned at the time of document verification stage itself and the OCI application on spouse basis shall be acknowledged on the online system only after the personal interview has been held. In other cases, there will be no personal interview.

### 14. Will the biometrics be captured at the time of submission of the application?

Capturing of biometrics of fingerprints & face (if technically feasible) in case of applicants for registration as OCI Cardholders is mandatory. In case of applications for registration as OCI cardholders submitted to Indian Missions/ Posts abroad, the applicants will have the option of giving biometrics at the application stage or at the Immigration Check Posts on arrival in India. Applicants are, however, advised to give biometrics at the Indian Mission/ Post concerned at the application stage itself i.e. at the document verification stage. If for any reason the applicant is not able to give the biometrics at the application stage (which shall be informed to the Indian Mission/ Post concerned in writing), his/ her biometrics shall be captured at the Immigration Check Posts (ICPs) on arrival in India.

In respect of applications submitted to FRROs in India, biometrics shall be captured at the application stage itself i.e. at the document verification stage.

Biometrics captured would be valid for next 5 years from the date of enrolment and applicants would not be required to be enrolled again within 5 years, if they have already enrolled their biometrics. Applicants with no fingerprints or poor fingerprints will be exempted and only facial traits would be captured for them. Further, applicants with less number of fingers shall give fingerprints of existing fingers only. Applicants above 70 years of age or below 12 years of age would be exempted from biometric capturing.

### 15. What is the procedure for collecting the OCI cardholder registration booklet?

After grant of registration, a registration certificate in the form of a booklet will be issued. For collection of the OCI Cardholder registration booklet, the applicant is required to be present at the concerned Indian Mission/FRRO in person or he/she can send a duly authorized person, along with his/her passport for this purpose. However, 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.

### 16. Will the ‘U’ Visa sticker be pasted on the foreign passport?

‘U’ (Universal) visa sticker on the foreign passport of OCI Card holders has been dispensed with from 29" January, 2015. Immigration authorities in ICPs in India have been advised not to insist on production of foreign passport containing the ‘U’ visa sticker in the case of OCI Cardholders while they enter/ exit India.

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

All PIO Cardholders with valid PIO Cards as on 09.01.2015 are deemed to be OCI cardholders in terms of the notification issued by the Ministry of Home Affairs on 9th January, 2015 in exercise of the powers conferred by section 7A(2) of The Citizenship Act, 1955. However, all persons having valid PIO Cards as on 9th 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.

A separate online application form for submission of application for registration as an OCI Cardholder in lieu of PIO Card is available in the website https://ociservices.gov.in. Applications can be submitted online from anywhere. An erstwhile PIO Cardholder with a valid PIO Card as on 09.01.2015 will have to upload only the following documents with his/ her application:-

(a) Copy of the valid passport

(b) Copy of the PIO Card

Applicants are to make payment of the following fee:-

(a) In case of application submitted in Indian Missions/Post abroad- By way of Demand Draft for US $100 for each applicant or equivalent in local currency.

(b) In case of application submitted in India, a fee of IN ¥5,500/- by way of Demand draft drawn in favour of “Pay and Accounts Officer (Secretariat), Ministry of Home Affairs” payable at New Delhi”.

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 for collecting the OCI Card by surrendering the PIO card.

## 18. 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.

### 19. What is the time taken for registration as OCI?

Normally, the time taken for issue of OCI registration booklet is about 30 days from the date of acknowledgement of the application on the online system.

### 20. 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.

### 21. Will a duplicate certificate of registration as an OCI Cardholder will be issued in the event of loss of the original certificate?

Yes. For this purpose, an application has to be made to the Indian Mission/Post/FRRO with evidence for loss of certificate of registration under OCI Miscellaneous Services. For details please see Brochure on OCI and Guidelines & FAQs on OCI Miscellaneous Services on this website.

### 22. Will the applicant lose his citizenship after registering as an OCI Cardholder?

No.

### 23. 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.

### 24. Can a person registered as an OCI Cardholder be granted Indian citizenship?

A person registered as an OCI Cardholder is eligible to apply for grant of Indian citizenship under section 5(1) (g) of The Citizenship Act, 1955 if he/she has attained full age (18 year) and if he/she is registered as OCI Cardholder for five years and is ordinarily resident in India for twelve months before making an application for registration. 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.

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

No.

### 26. What are the benefits to an OCI Cardholder?

(1) multiple entry lifelong visa for visiting India for any purpose:

Provided that for undertaking the following activities, the OCI Cardholder shall be required to obtain a special permission or a Special Permit, as the case may be, from the competent authority or the Foreigners Regional Registration Officer or the Indian Mission concerned, namely:-

(i) to undertake research;

(if) to undertake any Missionary or Tabligh or Mountaineering or Journalistic activities;

(ii) to undertake internship in any foreign Diplomatic Missions or foreign Government organisations in India or to take up employment in any foreign Diplomatic Missions in India;

(iv) to visit any place which falls within the Protected or Restricted or prohibited areas as notified by the Central Government or competent authority;

Note: For requisite special permission, OCI Cardholder may visit https://ociservices.gov.in .

(2) exemption from registration with the Foreigners Regional Registration Officer or Foreigners Registration Officer for any length of stay in India:

Provided that the OCI Cardholders who are normally resident in India shall intimate the jurisdictional Foreigners Regional Registration Officer or the Foreigners Registration Officer by email whenever there is a change in permanent residential address and in their occupation;

(3) parity with Indian nationals in the matter of,-

(i) tariffs in air fares in domestic sectors in India; and

(ii) entry fees to be charged for visiting national parks, wildlife sanctuaries, the national monuments, historical sites and museums in India;

(4) parity with Non-Resident Indians in the matter of,-

(i) inter-country adoption of Indian children subject to the compliance of the procedure as laid down by the competent authority for such adoption;

(ii)appearing for the all India entrance tests such as National Eligibility cum Entrance Test, Joint Entrance Examination (Mains), Joint Entrance Examination (Advanced) or such other tests to make them eligible for admission only against any Non-Resident Indian seat or any supernumerary seat:

Provided that the OCI Cardholder shall not be eligible for admission against any seat reserved exclusively for Indian citizens:

(iii)purchase or sale of immovable properties other than agricultural land or farm house or plantation property; and

(iv)pursuing the following professions in India as per the provisions contained in the applicable relevant statutes or Acts as the case may be, namely:-

(a) doctors, dentists, nurses and pharmacists;

(b) advocates;

(c) architects;

(d) chartered accountants;

(5) in respect of all other economic, financial and educational fields not specified in this notification or the rights and privileges not covered by the notifications made by the Reserve Bank of India under

The Foreign Exchange Management Act, 1999 (42 of 1999), the OCI cardholder shall have the same rights and privileges as a foreigner.

(6) Overseas Citizen of India (OCI) Cardholders are eligible for appointment as teaching faculty in IITs, NITs, IIMs, IISERSs, IISc, Central Universities and in the new AIIMS set up under Pradhan Mantri Swasthya Suraksha Yojana (PMSSY).

**Explanation.—**

(1) The OCI Cardholder (including a PIO Cardholder) is a foreign national holding passport of a foreign country and is not a citizen of India.

(2) "Non-Resident Indian" shall have the same meaning as assigned to it in The Foreign Exchange Management (Acquisition and Transfer of Immovable Property in India) Regulations, 2018 made by the Reserve Bank of India under The Foreign Exchange Management Act, 1999 (42 of 1999) and who fulfils the "Non-Resident Indian" status as per The Income Tax Act, 1961 (43 of 1961).

Any other benefits to an OCI Cardholder may be notified by the Central Government under section 7B(1) of The Citizenship Act, 1955.

**Note: -** (1) State Governments should ensure that the OCI Cardholder registration booklets of OCI Cardholders are treated as their identification for any services rendered to them.

(2) A person registered as an OCI Cardholder is eligible to apply for grant of Indian citizenship under section 5(1) (g) of The Citizenship Act, 1955 if he/she has attained full age (18 year) and if he / she is registered as OCI Cardholder for five years and is ordinarily resident in India for twelve months before making an application for registration. 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. 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. as specified in section 7B(2) of The Citizenship Act, 1955. 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 land or farmhouse or plantation properties in India.

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

Yes.

## 29. 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.

### 30. Whether nationals of Commonwealth countries are eligible for registration as OCI Cardholder?

Yes, if they fulfill the eligibility criteria.

### 31. 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 of The Citizenship Act, 1955 and every minor child of that person registered as an OCI Cardholder shall thereupon cease to be an OCI.

### 32. What are the activities for which OCI cardholder would require separate permission?

OCI Cardholders would require prior permission of the competent authority to undertake Research, Missionary, Mountaineering, Journalism, Tabligh activities & internship in any foreign Diplomatic Missions or foreign Government organizations in India, to take up employment in any foreign Diplomatic Missions in India and to visit any place which falls within the Protected/Restricted/Prohibited Areas notified by the Government. To seek prior permission/special permit for such activity, OCI Cardholder may submit online application at https://ociservices.gov.in .

### 33. Whether foreign military/ Police personnel are eligible for grant of OCI?

if Foreign Military/ Police Personnel either serving or retired will not be registered as OCI Cardholder.

2. However, Israeli citizens who are otherwise eligible for registration as OCI cardholder in terms of the provisions of section 7A of the Citizenship Act, 1955 and do no more than that of compulsory years of conscription can be granted OCI Card. However, if an individual does even the shortest of the terms with Israeli armed forces beyond compulsory training period prescribed by the rules in that country, then such a person would not be eligible for an OCI card.

3. Other foreign nationals of Indian origin, who have undergone only compulsory years/ period of military/ police conscription in their country for a period not more than 2 years and have not opted to join the military/ police force of the country even for the shortest period of time beyond compulsory military/ police conscription may also be considered for registration as OCI Cardholders subject to the following conditions:-

(i) Such registration as OCI Cardholder will be subject to the satisfaction

of the Mission/ Post/ FRRO concerned and the applicant fulfilling the eligibility criteria as provided in section 7A(1)(a), (b) & (c) of The Citizenship Act, 1955. They would be registered as OCI Cardholders only after a personal interview (either physical or through video conference) by the Mission/ Post/ FRRO concerned.

(ii) OCI Cards issued to such persons shall carry the following instructions, which shall be stamped on the OCI Card:-

“OCI Cardholder shall immediately surrender this OCI Card to the Indian Mission/Post/FRRO concerned in the event of the OCI Cardholder joining the military or police service. If it comes to the notice of the authorities that the OCI Cardholder has joined the military or police service and has not surrendered the OCI Card, the OCI card shall be deemed to have been cancelled and action as appropriate under the law including blacklisting of the OCI Cardholder shall be taken.”

(iii) If the OCI Cardholder opts to join the military or police service for any term beyond the number of years/period prescribed for compulsory military/police conscription, he/ she shall immediately surrender the OCI Card to the Mission/Post/FRRO concerned.

(iv) Foreign nationals of Indian origin who are undergoing compulsory military/police conscription at the time of application will not be eligible to be registered as OCI Cardholder during the period of such conscription.

(v) Foreign nationals, who are applying for OCI Card on spouse basis under section 7A (1) (d) of The Citizenship Act, 1955 shall not be eligible if they have under gone any military/police conscription or they are undergoing such military/police conscription at the time of application.

4. Children and spouse of foreign military/police personnel either in service or retired and foreign nationals working in Private Security Agencies, Home Offices, Prisons, National Probation Service and companies or organisations associated with the Home Office or military institutions, i.e. those who are not directly employed in military or police, may be considered for registration as OCI Cardholders subject to fulfilling the eligibility criteria as provided in section 7A of The Citizenship Act, 1955.

## 34. Whether application for registration as OCI cardholder of a foreigner spouse whose Indian spouse is not alive will be accepted?

Application for registration as OCI Cardholder of a foreigner whose Indian spouse is not alive may be accepted by the Indian Missions/ Posts/ FRROs and decision taken on case to case basis subject to the condition that the foreigner has not remarried another foreigner. Each case may be assessed afresh and decision may be taken after examination of each and every aspect of the case. In cases fulfilling the condition mentioned above, the OCI status of the foreign spouse will remain intact if —

(i) the foreign spouse has children born from marriage with the deceased Indian spouse who are Indian citizens / OCI Cardholders; or

(ii) the foreign spouse has acquired property individually or jointly with the Indian spouse; or

(iii) if any other such ground prevails.

While issuing the registration as OCI Cardholder, it will be made clear that if the foreign national gets remarried to another foreigner/Indian, the existing OCI registration will be immediately cancelled. In case of re-marriage to another citizen of India or an OCI Cardholder, the foreign national will have to submit fresh application for registration as OCI Cardholder. In such cases, fresh OCI Card shall be granted on surrender of the earlier OCI Card.

### 35. Whether foreign national children of such Indian national who is not alive will be registered as OCI Cardholder?

The foreign national children of such Indian national who is not alive will be entitled to registration as OCI Cardholder as per section 7A of The Citizenship Act, 1955 on the basis of their Indian origin. Such children holding PIO card will also be eligible to apply for registration as OCI Cardholder in lieu of PIO Card.

### 36. Whether a foreign national holding Diplomatic Passport will be registered as OCI cardholder?

A foreign national holding Diplomatic Passport will not be registered as OCI Cardholder. However, foreign diplomatic and official passport holders not assigned in India can travel on the strength of their OCI Cards.

### 37. Whether OCI Cardholders living in India should have a valid passport?

Yes. Passport is the primary travel document. OCI is only a life-long visa. Stay of a foreigners in India without a valid passport is illegal even if he or she is an OCI Cardholder. Therefore, it is necessary that OCI Cardholders staying in India should have a valid passport at all times of his/her stay in the country.