

MOST IMMEDIATE
Circular no. 379

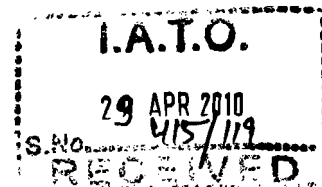
No. 25022/106/2009.F.I
Government of India
Ministry of Home Affairs
(Foreigners Division)

Jaisalmer House, 26 Man Singh Road
New Delhi, Dated: 26 April, 2010.

To

- (1) All Indian Missions/Posts abroad
- (2) Joint Secretary (CPV), Ministry of External Affairs
- (3) Joint Director, Bureau of Immigration
- (4) Home Secretaries of all State Governments/Union Territory Administrations.
- (5) FRROs – Delhi, Mumbai, Kolkata, Chennai, Amritsar, Bangalore and Hyderabad

Subject: Revised guidelines on Tourist Visa.



Sir

Kind attention is invited to this Ministry's letters of even number dated 4.11.2009, 21.12.2009 and 24.12.2009 on the above-mentioned subject and to the Frequently Asked Questions (FAQs) on Tourist visa uploaded on this Ministry's website www.mha@nic.in.

2. A few representations have been received from various quarters with regard to the revised guidelines on Tourist Visa and non-implementation of the guidelines in a uniform way by the Immigration authorities across the country. The matter has, therefore, been further reviewed by the Government and revised consolidated instructions on Tourist Visa, as given below are now being issued for uniform implementation of the instructions by the Missions/Posts abroad and Immigration authorities in India.

3. A Tourist Visa can only be granted to a foreigner who does not have a residence or occupation in India and whose sole objective of

visiting India is recreation, sight seeing, casual visit to meet friends and relatives etc. No other activity is permissible on a Tourist Visa. **The Tourist Visa is non-extendable and non-convertible.**

4. There shall be a gap of at least 2 months between two visits to India on a Tourist Visa. However, with a view to ensure that genuine tourists are not affected, it has been decided to enforce the following guidelines:-

- I. Some foreign nationals holding Tourist Visas, after initial entry into India, plan to visit another country largely on account of neighbourhood tourism and need to re-enter India within 60 days, before finally exiting. Such persons may be permitted upto three entries (need based), by the Indian Missions/Posts subject to their submission of a detailed itinerary and supporting documentation (ticket bookings). If the foreign national is already outside his/her country of origin, he/she can also get such an endorsement on his/her passport from the nearest Indian Mission/Post. However, intimation about the grant of permission may be furnished by the Mission/Post concerned to the Mission/Post from where the original Visa was issued.
- II. The Immigration authorities in all the Immigration Check Posts in the country may also allow such foreign nationals on Tourist Visas arriving in India without the specific authorization from the Indian Missions/Posts (as mentioned in sub-para (I) above) to make maximum three entries into the country (need based) subject to production of travel itinerary and supporting documentation (ticket bookings).
- III. The total period of stay in the country during the three entries permitted as mentioned in sub paras (I) & (II) above counted from the date of first entry into the country shall not exceed the stay stipulation period of 180 days or 90 days, as the case may be.
- IV. Once such a foreign national finally exits the country after availing the facility of three entries (within the visa validity period or the stay stipulation period of 180 days/90 days as the case may be), there shall be a gap of at least 2 months

from the date of final exit before he/she can come again to India.

- V. If any foreign national falling in the category as mentioned in sub-para (IV) above is required to visit India again within a period of 2 months after his/her last departure availing the facility of three entries due to any exigent situation, such foreign national should obtain special permission from the Mission/Post for a re-entry. Such re-entry within the stipulated gap of two months may be permitted by the Missions/Posts only in emergent situations like death/serious illness in the family, non-availability of connecting flights to return to his/her country of origin or travel to another country using India as a transit point or any other exigent situation which can be duly justified with proper documentation to the satisfaction of the Mission/ Post granting the permission. The Mission/Post shall have to examine each case on merits before grant of requisite permission subject to the following conditions:-

- i. The applicant should furnish an undertaking on the following lines:-
 1. That the purpose of his/her visit is because of emergent situation.
 2. That he/she is not engaged in Business activities, nor in Employment or pursuing studies/research etc. in India.
- ii. In all such cases i.e. those covered by sub-para V above, the foreign national shall register with the FRRO/FRO concerned within 14 days of arrival. This registration may be done with the FRRO/FRO concerned at the first place of entry. An endorsement to this effect will be made on the visa sticker.

The requisite permission can be granted by the Mission/Post in any country on merits of each case and subject to the conditions mentioned above. However, intimation about the

grant of permission may be furnished by the Mission/Post granting such permission to the Mission/Post from where the original Visa was issued.

VI. In emergent cases involving re-entry of persons of Indian origin on Tourist Visa within the 2-month period of their earlier departure from India, the FRROs/ FROs may exercise their discretion in allowing such passengers to enter the country after getting convinced of the genuineness of their visit.

VII. Mission/Post endorsing the requisite permission as explained in sub paras (I) & (V) above may charge miscellaneous Consular Service fee for making the requisite endorsement.

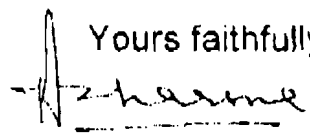
5. It may please be noted that the restriction of two months gap for re-entering India does not apply to foreign nationals coming on any other type of visa and also to people of Indian origin holding PIO and OCI cards.

6. All Indian Missions/Posts are also requested to strictly ensure that Tourist Visa is issued only for the purpose as indicated in para 3 above i.e. to a foreigner who does not have a residence or occupation in India and whose sole objective of visiting India is recreation, sight seeing, casual visit to meet friends and relatives etc. It may please be made clear to the applicants that no other activity is permissible on a Tourist Visa and that the Tourist Visa is non-extendable and non-convertible. Furthermore, it may please be ensured that appropriate visa is issued to foreign nationals keeping in view the purpose of visit as explained below:-

- (a) Spouse and dependent family members of a foreign national coming on long term visas like Employment, Business, Research etc. may be granted only 'X' visa (**NOT tourist visa**) co-terminus with the period of the principal visa holder.
- (b) Persons of Indian Origin, his/her spouse and dependent children may be granted only 'X' visas (**NOT tourist visa**) subject to producing proof of the PIO status, marriage certificate (in respect of spouse) and birth certificate (in respect of children).

- (c) Foreign nationals married to an Indian national (holding Indian passport) or spouse of an OCI/PIO card holder and dependent children may be granted only 'X' visas (**NOT tourist visa**) subject to production of necessary proof.
- (d) Foreign nationals who come to India for voluntary work in NGOs etc. may be granted Employment Visa with special endorsement on his/her E Visa " TO WORK WITH NGO—(Name of the NGO and place of duty). Such foreign nationals shall not be issued tourist visa.
- (e) Persons coming for medical treatment and their attendants, covered by the instructions issued by the Government regarding Medical Visa, may be granted 'Med' Visa and 'Med X' Visa respectively. Such foreign nationals shall not be issued tourist visa.

7. These instructions shall come into force with immediate effect. All Missions/Posts abroad/ Immigration authorities/State Governments/UT Administrations are requested to upload the revised instructions as mentioned above in their respective websites.

Yours faithfully

(Anuj Sharma)
Director

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