

FREQUENTLY ASKED QUESTIONS RELATING TO TOURIST VISA

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As per the extant instructions of the Government of India, 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.**

2. It has come to the notice of the Government that there has been abuse/misuse of the Tourist Visa. With a view to curb the abuse/misuse of the Tourist Visa, instructions have been issued by the Government imposing the following restrictions:-

- (a) In respect of foreign nationals holding Tourist Visas with multiple entry facility, there should be a gap of at least 2 months between two visits to the country on such a Tourist Visa.
- (b) If any foreign national is required to visit the country again within a period of 2 months of his last departure, such foreign national should obtain special permission from the Mission/Post concerned. The Mission/Post may consider such requests on merits of each case.

3. **Frequently asked questions with regard to the above issues and replies thereto are outlined below for information, guidance and compliance of all concerned:-**

Q.1: Whether the gap of two months between two visits would apply to all Tourist Visa holders ?

Ans. : The gap of two months between two visits would apply to all Tourist Visa holders.

Q.2 : Whether the gap of two months between two visits would apply irrespective of the duration of stay in India during the previous visit?

Ans.: The intention behind the stipulation of a gap of two months between two visits on a Tourist Visa is to curb the abuse/misuse of the Tourist Visa. With a view to ensure that the genuine tourists are not affected by the recent guidelines, the following clarifications are furnished:

- (I) Foreigners holding Tourist Visas, who after initial entry into India plan to visit another country largely on account of neighbourhood tourism related travel and re-enter India before finally exiting, may be permitted two or three entries, as the case may be (need based), by the Indian Missions/Posts subject to their submission of a detailed itinerary and supporting documentation (ticket bookings). If they are already outside of their country of origin, they can also get such an endorsement from the nearest Indian Mission/Post.
- (II) The Immigration authorities in all the Immigration Check Posts may also allow such foreign nationals on Tourist Visas arriving in India without the specific authorization from the Indian Missions/Posts to make two or three entries into the country (need based) subject to production of an itinerary and supporting documentation (ticket bookings).
- (III) The total period of stay in the country 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 two or three entries (within the stay stipulation period of 180 days or 90 days as the case may be), there should be a gap of at least 2 months before he/she can come again to the country.
- (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, such foreign national should obtain special permission from the Mission/Post. Such re-entry within the stipulated gap of two months may be permitted 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 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 will have to examine each case on merits before grant of requisite permission subject to the following conditions:-
 - (a) The applicant should furnish an undertaking on the following lines:-
 - (i) That the purpose of his/her visit is because of emergency situation.
 - (ii) That he is not engaged in Business activities, nor in Employment or pursuing studies/research etc.

(b) In all such cases i.e. those covered by sub-para V above, the foreign national should register himself with the FRRO/FRO concerned within 14 days of arrival. This registration may be done with the FRRO/FRO concerned preferably 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 must 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 being 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.

Q.3: Whether the permission for the second visit within the period of 2 months in respect of foreign nationals falling in the category mentioned in sub para (V) in reply to Question (2) can be granted by the Posts?

Ans.: Yes.

Q.4: Whether the Mission/Post in any country can grant permission for the second visit within the period of 2 months in respect of foreign nationals falling in the category mentioned in sub para (V) in reply to Question (2) or whether this can be granted only by the Mission/Post in the country of origin of the applicant.

Ans.: The requisite permission can be granted by the Mission/Post in any country on merits of each case and subject to the conditions mentioned in sub-para (V) in reply to Question (2) above. Intimation about the grant of permission may be furnished to the Ministry of Home Affairs (Foreigners Division) and to the Mission/Post from where the original Visa was issued.

Q.5: Are there any standard guidelines for the Indian Missions/Posts to decide the requests for re-entry within the stipulated gap of two months?

Ans.: The re-entry within the stipulated gap of two months, as mentioned in sub para (V) in reply to Question (2), may be permitted 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 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 will have to examine each case on merits before grant of requisite permission.

Q.6: In cases mentioned in sub para (V) in reply to Question 2, where will the foreigner register himself?

Ans.: The registration should be done with the FRRO/FRO concerned preferably at the first place of visit on re-entry.

Q.7: If a tourist's passport is not stamped to indicate no re-entry within two months, can the tourist assume that he will be allowed to re-enter India within two months?

Ans.: No. Even if the tourist's passport is not stamped, the restrictions as laid down will be applicable.

Q.8 Whether the restriction of two months gap for re-entering India is applicable to PIO/OCI card holders and foreigners holding business, employment, student and other categories of visa?

Ans.: No. The two months gap is applicable only to Tourist Visa holders.

Q.9: Whether any fee is required to be charged for making the requisite endorsement on the Passport.

Ans.: Miscellaneous Consular Service fee may be charged for making an endorsement.

Q.10 : How will medical tourists who return regularly to India for onward treatment be handled?

Ans.: For persons coming for medical treatment, there is a separate category of Medical Visa. Foreign nationals coming for medical treatment will have to come only on Medical Visa and not on Tourist Visa.

Q.11: How will the family members of diplomatic households who do not qualify for diplomatic visas (e.g. older children or domestic partners) be handled?

Ans.: The family members of diplomatic households who do not qualify for diplomatic visas may have to come on an 'Entry(X)' Visa if eligible. If they come on Tourist Visa, the restrictions as laid down will be applicable.

Q.12: How will individuals who come to India to volunteer for various charity organizations be treated? Many of them travel around the region while volunteering in India for extended periods on tourist visas.

Ans.: Tourist Visa is not the appropriate visa in such cases. A person coming for voluntary work can apply for 'Employment (E)' Visa.

Q.13. What activities are permissible on 'Tourist' visa?

Ans.: Tourist Visa is granted for visiting India for recreation, sight seeing, casual visit to meet friends and relatives etc. No other activity is permissible on a Tourist Visa.

Q.14. Can a person holding 'Tourist' visa indulge in Business activities?

Ans.: No. If a person holding 'Tourist' visa is found to be involved in Business activities, action may be taken for visa violation.

Q.15. Can a person holding 'Tourist' visa accept employment?

Ans.: No. If a person is found working, while holding 'Tourist' visa, he/she may be booked for visa violation.