

Immigration Guide

India

PwC International Assignment Services



All Foreign Nationals (FN) entering India are required to possess a valid visa obtained from Indian Mission or Post Abroad.

There are several types of visas available for tourism, transit, business, study, journalism and employment purposes. This guide is intended for professionals travelling to India and provides an overview of the Business, Employment and Tourist Visa on Arrival categories.

Business Visa

A Business Visa is granted to FN who intends to travel to India for bona fide business reasons only. Such purposes of visit may include the following:

- Establishing a business venture or exploring opportunities to set up a business in India
- Buying or selling industrial, commercial or consumer products
- Attending technical meetings/discussions, board meetings, general meetings to provide business support services
- FN who are Partners/Directors in the business
- Recruiting manpower from India
- Foreign experts/specialists on a short visit to India, in connection with a project/contract to monitor the progression of the work and conduct meetings with Indian customers and/or provide some high level technical guidance
- Participating in an exhibition or trade fair
- Foreign trainees attending in-house training
- FN coming to India for pre/post sale activity not amounting to actual execution of any contract or project.

The Business Visa may be granted to the individual for single or multiple entries, for a period of six months, one year or, in exceptional circumstances, five years. A stay stipulation may also be prescribed by the Indian Missions wherein stay in India during each visit would be only for maximum period of six months and in such case an endorsement “each stay not to exceed six months and registration not required” is to be appropriately made on the visa sticker of the FN. In other cases where stay stipulation is not prescribed, an endorsement “Registration within fourteen days” would be made on the visa sticker of the FN.

A Business visa with 10 years validity and multiple entry facility can be granted to nationals of United States of America.

Employment Visa

An Employment Visa (EV) is granted to skilled and qualified foreign individuals who are being engaged or appointed by a company in India. The FN must draw a salary of at least USD 25,000 per annum. However, this condition of annual floor limit on income shall not apply to Ethnic cooks, Language Teachers (other than English Language)/translators and staff working for the concerned Embassy/High Commission in India. The term 'Salary' here includes basic salary and all taxable perquisites. They will not be granted in respect of roles for which a large number of Indian nationals are available or for routine/ordinary jobs.

Such purposes of visit may include the following:

- 1) The execution of a project/contract
- 2) FN who are coming to India to take up employment as coaches of national/state level teams or reputed sports club
- 3) Technical support or transfer of knowledge, services supplies for which the Indian company pays fees/royalty to the foreign company
- 4) Consultant on a contract where the Indian company pays fixed remuneration
- 5) Foreign engineers/technicians coming to India for installation and commissioning of equipment/machines/tools in terms of the contract for supply
- 6) Foreign Language teachers/ interpreters
- 7) Foreign specialist chefs
- 8) Self Employed coming to India for providing medical, accounting, legal, engineering or other highly skilled services in their capacity as independent consultants provided such services by foreigners are permitted under the law.

Tourist Visa on Arrival (TVoA)

The Government of India (GOI) has simplified the TVoA scheme. Under the new scheme, manual process is being withdrawn. India has expanded the e-Tourist Visa (eTV) program to following 150 countries.

Albania	Andorra	Anguilla	Antigua & Barbuda	Argentina	Armenia,
Aruba	Australia	Austria	Bahamas	Barbados	Belgium
Belize	Bolivia	Bosnia & Herzegovina	Botswana	Brazil	Brunei
Bulgaria	Cambodia	Canada	Cape Verde	Cayman Island	Chile
China	China- SAR Hongkong	China- SAR Macau	Colombia	Comoros	Cook Islands
Costa Rica	Cote d'Ivoire	Croatia	Cuba	Czech Republic	Denmark
Djibouti	Dominica	Dominican Republic	East Timor	Ecuador	El Salvador
Eritrea	Estonia	Fiji	Finland	France	Gabon
Gambia	Georgia	Germany	Ghana	Greece	Grenada
Guatemala	Guinea	Guyana	Haiti	Honduras	Hungary
Iceland	Indonesia	Ireland	Israel	Jamaica	Japan
Jordan	Kenya	Kiribati	Laos	Latvia	Lesotho
Liberia	Liechtenstein	Lithuania	Luxembourg	Madagascar	Malawi
Malaysia	Malta	Marshall Islands	Mauritius	Mexico	Micronesia
Moldova	Monaco	Mongolia	Montenegro	Montserrat	Mozambique
Myanmar	Namibia	Nauru	Netherlands	New Zealand	Nicaragua
Niue Island	Norway	Oman	Palau	Palestine	Panama
Papua New Guinea	Paraguay	Peru	Philippines	Poland	Portugal
Republic of Korea	Republic of Macedonia	Romania	Russia	Saint Christopher and Nevis	Saint Lucia
Saint Vincent & the Grenadines	Samoa	San Marino	Senegal	Serbia	Seychelles
Singapore	Slovakia	Slovenia	Solomon Islands	South Africa	Spain
Sri Lanka	Suriname	Swaziland	Sweden	Switzerland	Taiwan
Tajikistan	Tanzania	Thailand	Tonga	Trinidad & Tobago	Turks & Caicos Island
Tuvalu	UAE	Ukraine	United Kingdom	Uruguay	USA
Vanuatu	Vatican City- Holy See	Venezuela	Vietnam	Zambia	and Zimbabwe

The TVoA is issued to a FN whose sole objective is sightseeing, recreation, casual visit to meet friends or relatives, short duration medical treatment or casual business visit.

The scheme is valid for a single entry into India for a period of up to 30 days and is valid for entry through designated 16 international airports of Ahmedabad, Amritsar, Bengaluru, Chennai, Cochin, Delhi, Gaya, Goa, Hyderabad, Jaipur, Kolkata, Lucknow, Mumbai, Tiruchirapalli, Trivandrum & Varanasi. However, the foreigner can take exit from any of the authorized Immigration Check Posts (ICPs) in India.

The scheme cannot be availed more than twice in one calendar year.

Registration Requirement

Foreigners entering India on long term (more than 180 days) EV are required to register with the concerned jurisdictional Foreigners Regional Registration Office (FRRO) within 14 days of their first arrival in India, irrespective of the duration of their stay.

Foreigners visiting India on other categories of long term visa including Business/Entry(X) visa would not require registration with the concerned FRRO if duration of his/her continuous stay does not exceed 180 days on a single visit. Registration is required in case of visa less than 180 days and if there is a special endorsement on visa like "Registration required".

The Japanese nationals are not required to personally visit the concerned authorities for obtaining residential permit and visa extension in India. They have been exempted from physically appearing at the FRRO for registration/ visa extension.

The Person of India (PIO) card has been merged with Overseas Citizenship of India (OCI) card. Existing PIO card holders will enjoy the same benefits as OCI card holders i.e. exemption from FRRO registration and visa requirement for life time.

Quota

Quota limits for EV has now been removed and there is only the condition of payment of minimum threshold salary of USD 25,000. However, there is special category of project visa (within the regime of EV) which is issued to the FN who intend to work in India on projects in power and steel sector. There are restrictions on the number of project visas depending on the projects and skilled manpower employed. There are also certain conditions attached to project visa.

Accompanying Family Members

Related family members of the EV applicant may apply for an 'X' Visa. This enables the family members to reside in India for the duration of the EV of the FN. The X visa can also be converted into EV in India with the prior approval of -MHA and subject to fulfilment of condition as laid down for grant of EV as discussed above.

Application Process Overview

Applications for the Business Visa and EV are not accepted in India. The individual must submit the application through the relevant Indian High Commission or Embassy in their country of origin (where the individual's passport is held). Under certain circumstances, the individual may also submit the application in their country of residence if they can demonstrate residency there for at least two years.

Documentation

The documents required in support of both the Business and EVs can vary, depending on the High Commission or Embassy processing the application. Applicants are advised to check with the processing agency in their relevant country for a comprehensive list of documents required.

As a guide, the supporting documents for the Business Visa application may include a valid travel document, a supporting letter from the individual's current employer, proof of financial standing and expertise in the field of intended business, invitation letter from the India-based company and completed application form.

Documents for the EV may include an invitation letter, his/her employment contract by the company/organisation in India an undertaking for the tax liability in India from the Indian entity, Indian company incorporation letter, individual's highest educational certificate, individual's current resume and the completed application form.

Timeline

The processing time for the Business and EVs will vary depending on the country where the application is submitted. Applicants are advised to check with the processing agency in the relevant country.

Renewal of EV

A FN can get his visa renewed within India up to a period of 5 years from date of issue of initial EV, on a year to year basis, subject to submitting appropriate application along with necessary documents within the prescribed time frame to the respective FRRO office where he/ she may be registered.

Change of Employer

A FN may change his employer subject to prescribed conditions. Such change shall be permitted during the currency of the EV within India where such change of employer is between a registered holding company and its subsidiary and vice-versa or between subsidiary of a registered holding company subject to fulfilment of certain conditions and documents along with prior approval from Ministry of Home Affairs (MHA).

Conversion of EV into dependent Visa

A FN can convert his EV into dependent visa with the prior approval of the MHA in the following cases:

- EV holder marries an Indian national during the validity of his/ her visa and does not intend to continue EV subject to satisfying certain conditions.
- EV holder who falls ill after their entry into India rendering them unfit to travel and require specialized medical treatment can be converted to Medical visa.

Non-Compliance

Individuals convicted of non-compliance with Indian immigration regulations may face fine/deportment and/or imprisonment if found guilty.

Contact

This Guide is intended to provide a general overview of the immigration requirements and options available to foreigners seeking to work and reside in India. It is based on the current laws, practices and guidelines issued by the relevant Indian authorities. These are subject to change and therefore, it is strongly recommended to check with the Indian High Commission, Embassy or PwC firm in advance of any visa application. For advice tailored to your precise requirements, please contact:

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