

12. FOREIGN CITIZENS LAWFULLY STAYING IN INDIA

When a foreign citizen enters into India, it is necessary that he should possess a valid pass-port of the country to which he belongs and a valid Indian Visa. At the same time it is also mandatory that after landing in India, he should, within a period of 15 days, register himself as a foreign citizen with the concerned **Foreigner's Registration Officer**. However, a foreign citizen visiting India on a tourist visa and intending to stay in India for a period of 180 days or **less**, does not need to get registered.

If for some unavoidable reasons, a foreign citizen requires an extension for his stay in India, he should apply for the same, at least 2 **months prior** to the expiry of the valid period of his stay in India, to the **Office of the Foreigner's Registration Officer** i.e. [Superintendent of Police in the rural areas and the Deputy Commissioner of Police (Special Branch) in the Commissionerate areas]. Following documents, in triplicate, should be furnished along with such application.

- (1) Application for extension of time-limit in the prescribed form.
- (2) Copy of the pass-port.
- (3) Copy of the Indian Visa.

- (4) Indemnity Bond.
- (5) Marriage Certificate,
- (6) If, of Indian origin, evidence in that regard, such as the birth certificate, school leaving certificate etc.
- (7) If extension of time of Employment Visa is desired, a copy of the agreement entered into with the company concerned and the letter of the company or institution concerned, in that respect.
- (8) If extension of time for Business Visa is sought, letter of permission from the Reserve Bank of India in that regard.
- (9) In case the foreign national is a refugee from any country, a refugee certificate to that effect.
- (10) If, the case is one of extension of time limit of a students' Visa, the certificate from the Educational Institution/University concerned,
- (11) If, it is sought to extend the time-limit of a research Visa, the permission for research given by the Ministry of Human Resources, Education Department, New Delhi.

After submitting the application, alongwith the required documents mentioned herein above, to the Office of the Foreigner's Registration Officer concerned, if the matter falls within his jurisdiction, he shall take a decision within a period of 15 days and shall inform the applicant about the same.

If, the matter falls within the power of the State Government, the Foreigner's Registration Officer

concerned shall forward the application to the State Government alongwith his remarks thereon within a period of **seven days** and the State Government shall decide the matter, within **15 days** the said decision which shall be communicated to the **Foreigner's Registration Officer** who in turn shall communicate the same to the applicant. If the matter falls within the power of the Central Government, the State Government shall submit the matter along with its remarks thereon to the Central Government within a period of **15 days**. **Foreigner's Registration Officer** concerned will be informed about the orders of the Central Government as soon as these are received from it, who in turn, will communicate the same to the applicant.

However the time-limit for a tourist visa cannot be extended beyond 180 days. Only under compelling circumstances, such as illness, non availability of a flight ticket etc., the State Government has the power to extend the time-limit of a tourist **Visa** by 15 days. Care must however, be taken to submit an application together with the copies of the documents, mentioned herein above and also a copy of the medical certificate or the flight ticket to the **Foreigner's Registration Officer** of Foreign Citizens within prescribed time limit.

Indian Citizenship

A foreign national can apply for Indian Citizenship after legitimately staying in India for a period of five years. Such a foreign national, should submit an application in that respect, in quadruplicate in the prescribed form, to the **Foreigner's Registration Officer** concerned. Such an

application has to be accompanied by the following documents :—

- (1) A copy of the valid pass-port.
- (2) A copy of the valid visa.
- (3) A treasury challan of Rs.50/-.
- (4) Oath of allegiance.
- (5) Indemnity bond.
- (6) Marriage Certificate in case of women.
- (7) In the case of a woman if the husband is an Indian, his domicile certificate or a copy of his Indian pass-port.
- (8) Three prints of coloured photograph.

The State Government recommends such applications for grant of Indian citizenship to the Central Government. Thereafter the Central Government first registers the same and then asks the applicant to surrender his foreign pass-port to the Embassy of the foreign country concerned. After completion of the entire procedure, the Central Government grants the Indian citizenship to the applicant and the same is sent to the applicant through the State Government.

Manner of attestation of the Indian documents of persons traveling abroad.

Persons desirous of traveling abroad, have to get their Indian documents attested before obtaining a Visa of the foreign country. For that purpose they should first get them notarised by a Notary Public, approved by the Maharashtra/Central Government or in the case of

a company, they should be attested by an approved Chamber of Commerce and then they are attested by the Section Officer, Home Department, 9th floor, New Administrative Building, Opposite Mantralaya, Mumbai 400 032 between 2 and 5 p.m.

This attestation is done free of charge and the documents are returned duly attested on the same day.

