



Global Employer Services Alert Harmonizing global & local perspectives

Recent Changes to Employment and Business Visa

Issue no: GES/23/2017

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Background

- The government of India has taken various measures for liberalization, simplification and rationalization of the visa regime in India.
- Our alert summarizes the recent key changes from an employment and business visa perspective.

Key Highlights

Heads	Particulars
Minimum salary limit has now been fixed in Indian Rupees instead of US Dollars	<ul style="list-style-type: none">• The annual minimum salary limit for an employment visa, is now fixed in Indian rupees. Earlier, the annual minimum salary was in US dollars. Accordingly, as against the limit of USD 25,000 per annum, a revised threshold of INR 1,625,000 per annum, now applies.• Further, foreign nationals to be appointed as teachers by the Central Higher Educational Institutions will have a lower minimum salary limit of INR 910,000 (USD 14,000) per annum.• Given the above change, it would be advisable that the assignment / employment contract captures the salary details in INR.• While the above change mandates the salary limit in INR, some FRROs / FROs, continue to request the salary details in USD. Accordingly, if required the above mentioned INR salary threshold would need to be specifically highlighted to the FRROs/ FROs.
Form C requirements	<ul style="list-style-type: none">• Further to our earlier alert dated 20 May 2016, most FRROs / FROs are now insisting on filing of Form C in respect of rented accommodation housing foreign nationals.• Additionally, we understand that Chennai FRRO is now insisting on departure / check-out particulars of foreign nationals to be reported in the online Form C. The other FRROs / FROs may also start insisting on the same.
Mandatory biometric recording at FRO Pune	<ul style="list-style-type: none">• FRO Pune has started recording foreign national's fingerprints and iris scan during all services (registration, visa extension, etc.). We understand that this is currently not the practice at other FRROs / FROs.
Long term multiple entry Business visa	<ul style="list-style-type: none">• The facility of 10 years long term multiple entry business visa for USA, Canada and Japanese nationals will continue.• Nationals of 33 specified countries shall be granted a multiple entry business visa with maximum validity of up to 5 years. The validity shall be decided by the concerned Indian missions / posts at their discretion. However, for nationals of China, Bangladesh and Pakistan the overall validity would be in line with bilateral agreements / policy guidelines as issued from time to time.• Nationals of all other countries would be granted a multiple entry business visa of 5 years as a default option as against maximum validity of 1 year in the past.

	<ul style="list-style-type: none"> • Regardless of the maximum validity indicated above, the Indian missions / posts may restrict the validity where the business visa requirement of the specific case is for a lesser period • The grant of multiple entry 5 years business visa will be issued with a stipulation, "Continuous stay during each visit shall not exceed 180 days and registration not required". • Biometric enrolment and interview will be mandatory for grant of multiple entry business visa
Sub-categorization of visa	<p>Employment, business and related dependent visas have now been sub-categorized as against the earlier practice of issuing a single category of visa:</p> <p>Employment visa sub category :</p> <ul style="list-style-type: none"> • E1 - Short term remunerative employment up to 6 months • E2 - Long term remunerative employment beyond 6 months • E3 – Intra company transferee • E4 – Honorary work with NGOs • E5 – Staff/ faculty in South Asian University and Nalanda University • E1X, E2X, E3X, E4X and E5X – Dependents of employment visa holders <p>Business visa sub category :</p> <ul style="list-style-type: none"> • B1 – Business visitors attending business, technical meeting etc. for a short period • B2 - Business visitors from small and medium business • B3 – Business visitor from large business • B4 – Business visa for investors • B1X, B2X, B3X, and B4X – Dependents of business visa holders <p>Similarly, there are sub-categories of other types of visas as well.</p>

Comments

Salary threshold in INR should avoid the need for salary conversion and the related challenges with fluctuations in exchange rates. As a best practice, it is advisable that the INR salary is specifically captured as part of the assignment / employment contracts.

Increased validity of business visa should further facilitate business travel into India.

Source :

[Press release \(ID 160825\) dated 31 March 2017 issued by Ministry of Home Affairs, New Delhi](#)

[Clarifications from MHA in response to queries raised](#)

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