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Unification of Person of Indian Origin Card Scheme (PIO Card Scheme) with Overseas Citizen of India scheme (OCI Scheme)

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Background

With a view to provide parity to PIO Card Scheme with OCI Scheme, the Government of India (GoI), in September 2014, amended the PIO Card Scheme. Accordingly, the benefits of lifelong visa free travel to India and exemption from registration with the Foreigners Regional Registration Office / Foreigners Registration Office (FRRO/FRO) were extended to PIO card holders as well. Earlier, these benefits were only available to OCIs.

In continuation to this amendment, the President of India promulgated the Citizenship (Amendment) Ordinance on January 06, 2015 to unify OCI and PIO card schemes and extend the benefits to certain additional categories of foreign nationals.

Further, on January 12, 2015, the GoI announced the withdrawal of PIO Card Scheme with immediate effect. Consequently, all existing PIO card holders will be deemed as OCIs.

Key changes

Based on the recommendations from the High level Committee on Indian Diaspora, the Ministry of Home Affairs (MHA) has introduced the following key changes :

- In order to become eligible to apply for Indian citizenship it was mandatory for the foreign national to stay in India continuously for a period of one year. Any travel overseas by the foreign national amounted to the break in the continuous stay. However, with the amendment, a foreign national who has stayed outside of India for up to 30 days can still apply for Indian Citizenship. Their absence from India will not be construed as break in continuous stay.
- Minor children who are foreign nationals, of Indian Citizens will now be eligible to apply for OCI.
- Great grandchildren of individuals, who are eligible for OCI, will also now be eligible to apply for OCI.
- Foreign nationals married to OCI card holders or Indian citizens, whose marriage has been registered and subsists for a period of 2 years or more on date of lodging the application, will now be eligible to apply for OCI status. .

- The PIO Card Scheme was earlier amended by providing lifelong validity and removing of the registration requirement with the FRRO/FRO. The Government has now announced withdrawal of PIO card Scheme with immediate effect whereby all the existing PIO cardholders will now be deemed as OCIs. As a result, the PIO card holders will have the same eligibility criteria for acquiring Indian Citizenship as an OCI.

Comments

The changes brought about in the Citizenship (Amendment) Ordinance 2015 are in conformity with the commitment made by the Hon'ble Prime Minister during his US visit. Merger of the PIO card scheme and OCI scheme and relaxation of the eligibility norms are welcome moves from the Government to simplify immigration norms. This will help the Indian Diaspora to cement their links and to retrace their roots in India.

Source:

- Press Information Bureau /Print Release Dated January 07, 2015 and January 12, 2015
- The Gazette of India, January 06, 2015, The Citizenship (Amendment) Ordinance, 2015

Upcoming Dbriefs - Register

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Contacts

Ahmedabad

Heritage, 3rd Floor,
Near Gujarat Vidyapith,
Off Ashram Road,
Ahmedabad – 380 014.
Tel: + 91 (079) 2758 2542
Fax: + 91 (079) 2758 2551

Coimbatore

Shanmugha Manram
41, Race Course,
Coimbatore
Tamil Nadu - 641018
Tel: + 91 (0422) 439 2801
Fax: +91 (0422) 222 3615

Kolkata

Bengal Intelligent Park Building Alpha,
1st floor, Block EP and GP Sector V,
Salt Lake Electronics Complex,
Kolkata - 700 091.
Tel : + 91 (033) 6612 1000
Fax : + 91 (033) 6612 1001

Bangalore

Deloitte Centre, Anchorage II,
100/2, Richmond Road,
Bangalore 560 025.
Tel: +91 (080) 6627 6000
Fax: +91 (080) 6627 6010

Delhi/Gurgaon

Building 10,
Tower B, 7th Floor,
DLF Cyber City,
Gurgaon 122 002
Tel : +91 (0124) 679 2000
Fax : + 91 (0124) 679 2012

Mumbai

Indiabulls Finance Centre,
Tower 3, 28th Floor,
Elphinstone Mill Compound,
Senapati Bapat Marg, Elphinstone (W),
Mumbai – 400013
Tel: + 91 (022) 6185 4000
Fax: + 91 (022) 6185 4101

Chennai

No.52, Venkatanarayana Road,
7th Floor, ASV N Ramana Tower,
T-Nagar,
Chennai 600 017.
Tel: +91 (044) 6688 5000
Fax: +91 (044) 6688 5050

Hyderabad

1-8-384 and 385, 3rd Floor,
Gowra Grand S.P.Road,
Begumpet,
Secunderabad – 500 003.
Tel: +91 (040) 6603 2600
Fax: +91 (040) 6603 2714

Pune

106, B-Wing, 7th Floor,
ICC Trade Tower,
Senapati Bapat Road,
Pune – 411 016.
Tel: + 91 (020) 6624 4600
Fax: +91 (020) 6624 4605

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