



## GES Alert

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Foreigner's Registration Requirement - Mandatory reporting for foreign national's place of residence in India

**Issue no: GES/13/2016**

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# Background

- Generally, foreign nationals visiting India for long term periods (more than 180 days) are required to register themselves with the concerned Foreigners Regional Registration Officer (FRRO) / Foreigners Registration Officer (FRO) having jurisdiction over the place where the foreigner intends to stay.
- Such registration is required to be done within 14 days of their arrival into India, subject to certain exceptions where registration is required earlier.
- As per the Registration of Foreigner's Rules 1992 (Rules), where the foreign national resides in India in a "hotel", the hotel keeper is required to maintain details (eg. name, nationality, purpose of visit, etc) of the foreign national in a Register maintained for the purpose in Form F. Further, the hotel keeper is also required to submit "Arrival report of foreign national in hotel" in Form C online to the FRRO/FRO within 24 hours of arrival of the foreign national at their premises. For submitting such Form online, the hotel keeper has to initially obtain a one time registration for the hotel with the FRRO/FRO.
- Such Form C is also required to be submitted by the foreign national at the time of obtaining the FRRO/FRO registration in certain locations. The definition of "hotel" was restricted to certain type of accommodations only. Now, the Government has widened the definition of hotel by way of an order<sup>1</sup> which has been discussed below.

## Key Update

- The details that were earlier required to be maintained by the hotel keeper in Form F are now required to be maintained in Form B.
- The erstwhile definition of "hotel" included "boarding-house, club, dark-bungalow, rest house, paying guest-house, *sarai* or other premises of like nature".
- Now, the definition of hotel has been widened to include include "hostel, rented accommodation, hospital or any other premises of like nature whether or not furnished where lodging or sleeping accommodation is provided for reward".

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<sup>1</sup> Foreigner's Order, 1948 G.S.R 325(E) dated 18<sup>th</sup> March 2016

- Hence, any person providing any kind of accommodation as per the amended definition of hotel to a foreign national will be mandatorily required to file Form C online with the FRRO/FRO within 24 hours of the foreigner nationals arrival.

## Comments

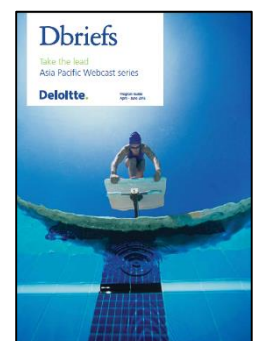
Practically, at the time of obtaining registration by foreign nationals, FRROs/FROs in certain cities were already requesting for Form C in respect of rented accommodation/other accommodation provided by hotel keepers.

With the amendment in the law, it is expected that FRROs/FROs at all locations in India will soon start requesting for Form C from all foreign nationals. Hence, in case of foreign employees coming to work in India, it is advisable that their Mobility managers should consider accommodation for its foreign employees which has already been registered with the FRRO/FRO to avoid delays in submitting the Form C by the hotel keepers.

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# Contacts

## Ahmedabad

19th Floor, Shapath –V  
S.G.Highway  
Ahmedabad-380015  
Gujarat-India  
Tel: + 91 (079) 66827300  
Fax: + 91 (079) 66827400

## 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, 7<sup>th</sup> Floor,  
ICC Trade Tower,  
Senapati Bapat Road,  
Pune – 411 016.  
Tel: + 91 (020) 6624 4600  
Fax: +91 (020) 6624 4605

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