

Grant of various facilities to persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, staying in India on Long Term Visa (LTV)

Ministry of Home Affairs have issued instructions to State Governments/ UT Administrations on 19.8.2016 granting the following facilities to persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, staying in India on Long Term Visa (LTV) :-

- (1) Permission to take up self-employment or doing business.
- (2) Allowing free movement within the State/ UT (excluding Protected/ Restricted/ Cantonment areas) where they are staying instead of restricting their movement within the place of stay. In the case of such persons living in National Capital Region (NCR), allowing free movement within NCR (excluding Protected/ Restricted/ Cantonment areas) and simplifying the procedure for visit to a place in any other State/ UT.
- (3) Permission for transfer of LTV papers from one State/ UT to another State/ UT.
- (4) Reduction of penalty on non-extension of short term visa/ LTV on time
- (5) Permission to apply for LTV at the place of present residence in cases where the applicants have moved to the present place of residence without prior permission.
- (6) Issue of driving license.

A copy of the letters no. 28020/58/2014-F.III dated 19.8.2016 issued to the State Governments/ UT Administrations, prescribing the detailed guidelines, is enclosed.

2. Central Government has also decided to grant the following facilities to such persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, staying in India on Long Term Visa (LTV):-

- (A) Permitting such persons to open NRO (Non Resident Ordinary) Rupee account without prior approval of the Reserve Bank of India subject to the following conditions:-
 - (1) Such Afghanistani, Bangladeshi and Pakistani nationals who have applied for grant of Long Term Visa (LTV) will be allowed to open a NRO bank account and the account will be opened initially for only

six months, which may be renewed at six monthly intervals when the application for Long Term Visa (LTV) is under consideration of the Government. Once LTV is granted with the approval of the Ministry of Home Affairs, the accounts will be made perpetual.

- (2) Such Afghanistani, Bangladeshi and Pakistani nationals who have already been granted LTV with the approval of the Ministry of Home Affairs will be allowed to open NRO bank account on perpetual basis.
- (3) The accounts will be converted into resident accounts when such Afghanistani, Bangladeshi and Pakistani nationals are granted Indian citizenship.
- (4) Authorized banks will be permitted to open the NRO account in such cases without the prior approval of the RBI subject to the following:-

- (i) In the case of persons whose LTV application is under consideration

The individual is holding a valid visa and valid residential permit issued by the Foreigners Registration Office (FRO)/ Foreigners Regional Registration Office (FRRO) concerned and has submitted the application for grant of LTV to the FRO/ FRRO concerned.

- (ii) In the case of persons who have been granted LTV

The individual has a valid LTV duly approved by the Ministry of Home Affairs.

- (B) Permitting such persons to purchase a small dwelling unit for self occupation and suitable accommodation for carrying out self-employment without prior approval of the Reserve Bank of India subject to the following conditions:-

- (1) Such persons will be allowed to purchase a small dwelling unit sufficient to serve the needs of the individual/ family for self use and suitable accommodation for carrying out self- employment.
- (2) Such persons will not be allowed to purchase immovable property in and around restricted/protected areas including cantonment areas.
- (3) Such persons must submit a declaration that they are residing in India on LTV.

- (4) The registration documents of the property should mention the nationality and the fact that such persons are on LTV so that the same document may not be misused to apply for inclusion of their name in electoral roll and get a voter's ID card with the intention to circumvent the laid down procedure for obtaining Indian citizenship.
 - (5) Such persons should declare source of funds for the purchase which may include assets brought by them while entering India, soft loans from relations, donations etc.
 - (6) The property of such persons will be attached/ confiscated in the event they indulge in anti-India activities.
 - (7) The Revenue authorities in the District where he/she resides (not below the rank of Tahsildar) should certify the fulfillment of the conditions mentioned at (1) to (5) above before permitting registration of the property.
 - (8) A copy of the documents of purchased property shall be submitted to the DCP/ FRO/ FRRO concerned and to the Ministry of Home Affairs (Foreigners Division).
 - (9) Such persons can sell the property only after acquiring Indian citizenship. However, in case such person wants to dispose the property before acquiring Indian citizenship, it can be done only with the prior approval of DCP/ FRO/ FRRO concerned.
- (C) Issue of PAN card to such persons. For this purpose, the address given in the LTV document will be considered as valid proof of address.
- (D) Issue of Aadhaar number to such persons. For this purpose, the address given in the LTV document will be considered as valid proof of address. Further, Aadhaar number shall be made mandatory and all other benefits extended to such persons will be linked to the Aadhaar number.

Requisite notifications/ instructions will be issued by the Ministries/ Departments concerned with reference to (A), (B), (C) and (D) above.

MOST IMMEDIATE

No. 28020/58/2014-F.III
Government of India
Ministry of Home Affairs
(Foreigners Division)

NDCC-II Building, Jai Singh Road
New Delhi, the 19th August, 2016

To

- (1) The Principal Secretary (Home), All State Governments/ UT Administrations
- (2) DGPs of all State Governments/ UT Administrations

Subject : Grant of various facilities to persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, staying in India on Long Term Visa (LTV)

Sir,

I am directed to say that grant of various facilities to persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians staying in India on Long Term Visa (LTV) has been under consideration of the Government. In this connection, attention is invited to this Ministry's letter of even number dated 15.12.2014 conveying grant of various facilities to Pakistani nationals living in India on LTV. It has now been decided, with the approval of the competent authority, to extend the following facilities to persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians staying in India on Long Term Visa (LTV) subject to the conditions mentioned therein:-

1. Permission to take up self-employment or for doing business

Such persons are permitted to take up self-employment or to do business viz. selling of grocery items, household goods, fruits/vegetables or any other business activity except in protected, restricted and cantonment areas. However, they should not be permitted to undertake self employment/ business in any contractual labour work related to defence establishment, scientific establishment, sensitive organization, Railways, Ministries, etc. Further, they will not be allowed to engage in businesses related to telecommunication viz. mobile handsets, SIM cards, Laptop, etc. and security system business relating to computers, information technology, cyber space,

Kabari/scrap business with defence units, etc. They will not be allowed to take up any other business activity also considered sensitive from security point of view.

2. Allowing free movement within the State/ UT (excluding Protected/ Restricted/ Cantonment areas) where they are staying instead of restricting their movement within the place of stay. In the case of such persons living in the National Capital Region (NCR), it is proposed to allow free movement within NCR (excluding Protected/ Restricted/ Cantonment areas) . It is also proposed to simplify the procedure for visit to a place in any other State/ UT.

- (i) Such persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians living in India on LTV approved by the Ministry of Home Affairs are allowed free movement within the State/ UT, except in Protected/ Restricted/ Cantonment areas, without prior approval of the DCP/ FRO/ FRRO concerned. In the case of those staying on LTV in the NCR (National Capital Region), they are allowed free movement within NCR, excluding Protected/ Restricted/ Cantonment areas, without the prior approval of the DCP/ FRO/ FRRO concerned.
- (ii) The present restriction of permission to visit maximum 2 places at a time in addition to the place of stay in the case of Pakistani nationals covered in the letter of even number dated 15.12.2014 is removed in respect of such persons of minority communities from Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians living in India on LTV.
- (iii) In case such Afghanistani, Bangladeshi and Pakistani national has to visit a place in any other State/ UT, he/she will be allowed such a visit, except to Protected/ Restricted/ Cantonment areas, for a short period of maximum 15 days after such Afghanistani, Bangladeshi and Pakistani national has informed the DCP/ FRO/ FRRO concerned. For this purpose, a simple format will be devised and such Afghanistani, Bangladeshi and Pakistani nationals will be required to submit the form online to the DCP/ FRO/ FRRO concerned.
- (iv) In case the period of stay in the other State/ UT is likely to exceed 15 days on account of medical treatment in hospitals etc., such Afghanistani, Bangladeshi and Pakistani national will have to get a certificate from the hospital concerned or furnish documentary proof justifying the prolonged stay and upload the same along with the form to be submitted online to the DCP/ FRO/ FRRO concerned.

- (v) The requirement of personal reporting before the DCP/ FRO/ FRRO concerned every year by such persons belonging to the minority communities in Afghanistan, Bangladesh and Pakistan will continue.

3. Permission for transfer of LTV papers from one State/ UT to another State/ UT

In respect of persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, living in India on LTV approved by the Ministry of Home Affairs, the DCP/ FRO/ FRRO concerned at the place of residence of the Afghanistani, Bangladeshi and Pakistani nationals are authorized to transfer the LTV papers from one State/ UT to another State/UT after getting no objection from the other DCP/ FRO/ FRRO concerned at the place where such Afghanistani, Bangladeshi and Pakistani nationals propose to relocate, except the Protected/ Restricted or Cantonment areas.

4. Reduction of penalty on non-extension of short term visa/ LTV on time

The penalty on non-extension of short term visa/ LTV on time by such persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians is revised as follows:-

| S.No. | Period of overstay | Existing penalty | Revised penalty for persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan |
|-------|-----------------------------------|---|---|
| 1 | Upto 90 days | US\$ 30 (or equivalent amount in Indian rupees) (Approx. Rs. 1950 at 1 US\$ = Rs.65) | Rs.100 |
| 2 | Between 91 days and up to 2 years | US\$ 130 (or equivalent amount in Indian rupees) (Approx. Rs. 8450 at 1 US \$ = Rs.65) | Rs.200 |
| 3 | More than 2 years | US\$ 230 (or equivalent amount in Indian rupees) (Approx. Rs.14,950 at 1 US\$ = Rs.65) | Rs.500 |

5. Permission to apply for LTV at the place of present residence in cases where the applicants have moved to the present place of residence without prior permission

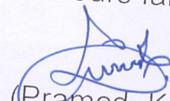
It has been brought to the notice of this Ministry that there are cases of persons of minority communities in Afghanistan, Bangladesh and Pakistan, namely Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, who after reaching India on short term visas with specified places, have moved to another place (not allowed in terms of the visa granted) without obtaining prior permission of the Ministry of Home Affairs and are submitting applications for LTV at the present place of residence.

In such cases of Afghanistani, Bangladeshi and Pakistani nationals belonging to minority communities in these countries, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, the State Governments/ UT Administrations concerned are authorized to regularize their stay at the present place of residence and to grant permission for applying for LTV at the present place of residence, not being within the Protected/ Restricted or Cantonment areas.

3. You are requested to issue appropriate instructions to the DCPs/ FROs concerned in your State/ UT in this regard for strict compliance. These instructions may also be given wide publicity.

4. These instructions shall come into force with immediate effect.

Yours faithfully


(Pramod Kumar)

Under Secretary to the Government of India

No. 28020/58/2014-F.III
Government of India
Ministry of Home Affairs
(Foreigners Division)

NDCC-II Building, Jai Singh Road
New Delhi, the 19th August, 2016

To

- (1) The Principal Secretary (Home) of all State Governments/ UTs
- (2) DGPs of all State Governments/ UTs

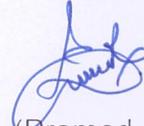
Subject : Issue of driving license to persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan living in India on Long Term Visa (LTV)

Sir,

I am directed to say that the competent authority has approved the proposal making the persons belonging to minority communities in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, living in India on LTV eligible for issue of driving license. For this purpose, the address given in the LTV document will be considered as valid proof of address.

2. You are requested to issue appropriate instructions to all concerned authorities in the Districts conveying the decision regarding issuance of driving license to such persons for compliance. A copy of the instructions issued may please be forwarded to this Ministry.

Yours faithfully



(Pramod Kumar)

Under Secretary to the Govt. of India
Tel. no. 23438040