

57

No. 28020/58/2014-F.III  
Government of India  
Ministry of Home Affairs

New Delhi, the 15<sup>th</sup> December, 2014

To,

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

Subject:- Grant of Long Term Visa(LTV) to the Pakistani nationals

Sir,

As per the extant instructions, Pakistani nationals in the following categories, seeking permanent settlement in India with a view to become a citizen of India are being granted Long Term Visa(LTV):-

- (i) Member of minority communities in Pakistan (Hindus, Sikhs, Christians and Buddhists);
- (ii) Pak women married to Indian nationals and staying in India;
- (iii) Indian women married to Pak nationals and returning due to widowhood/divorce and having no male member to support them in Pakistan; and
- (iv) Cases involving extreme compassion.

2. Government have received a number of representations regarding restrictions/problems faced by these Pakistani nationals living in India on LTV.

3. The matter has been examined in this Ministry and it has been decided, with the approval of competent authority, to make the following amendments to the extant procedure to facilitate the Pakistani nationals who are eligible for grant of LTV:-

- (1) Pakistani nationals coming to India on short term visa and applying for LTV under the eligible categories may be granted extension on their short term visas upto a period of six months by the DCP/FRO/FRRO concerned, after satisfying that Pakistani national has applied for LTV with all the

requisite documents and subject to usual checks and nothing adverse against the said Pakistani national.

Further, DCP/ FRO/FRRO concerned shall forward the proposals for grant of LTV to the Home Department of the State Government/UT Administration concerned with his/ her detailed report and recommendations alongwith complete documents within a period of one month of receipt of the proposal with all the requisite documents. Home Departments of State Government/UT Administration concerned shall forward the proposal for grant of LTV alongwith their recommendation to Ministry of Home Affairs(Foreigners Division) within 21 days of receipt of proposal from DCP/FRO/FRRO concerned.

- (2) Presently, State Governments / UT Administrations are empowered to grant extensions on Long Term Visas on two-year basis at a time to the eligible Pakistani nationals under categories (i) to (iii) in para 1 above, after the first year long term visa has been granted by MHA. In the case of persons falling in category (iv) in para 1 above, extensions of LTV on two year basis are granted only with the prior approval of Ministry of Home Affairs.

It has been decided that long term visa for five years at a time may be granted by Ministry of Home Affairs to Pakistani nationals eligible under category (i) to (iii) in para 1 above, on receiving a proposal from the State Government/UT concerned, with their recommendations.

Grant of 5 years LTV in the above mentioned categories will be subject to Police Reporting every year at the place where the Pakistani national has been allowed to stay on LTV. Further DCP/FRO/FRRO concerned should keep a discreet watch on the activities of the Pakistani national and if anything adverse is found, immediate appropriate action should be taken alongwith bringing the same to the notice of the Home Department of the State Government/ UT Administration and to the Foreigners Division, Ministry of Home Affairs immediately.

- (3) State Governments / UT Administrations are empowered to grant permission to Pakistani nationals staying on LTV under eligible categories to engage themselves in employment of purely private nature i.e. excluding Government / semi-Government, local bodies, cooperative jobs etc. Information regarding grant of permission for engaging in employment

granted may be sent to the Ministry of Home Affairs (Foreigners Division) immediately.

- (4) Children of Pakistan nationals staying on LTV under eligible categories with intention to settle permanently and obtaining Indian citizenship can take admission in schools, colleges, universities, technical / professional institutions etc. subject to usual conditions prescribed for foreigners in this regard. No specific permission would now be required for this purpose from the State Government / UT Administration concerned. However, intimation in this regard shall be sent to the DCP/FRO/FRRO concerned.
- (5) The State Govt./UT Admn. concerned may grant additional places to Pakistani national living in India on LTV approved by MHA or whose case for grant of LTV is under consideration of the State Govt./UT Administration/MHA, limited to a maximum of 2 places at any given point of time in addition to the place of stay after satisfying themselves with the genuineness of the request and subject to usual checks and nothing adverse. This would be further subject to Police Reporting at the additional place granted within 24 hours of arrival. The Pakistani national should also take exit from the DCP/FRO/FRRO concerned before leaving that place. No place which falls within Protected/Restricted or Cantonment area should be allowed without prior approval of MHA.
- (6) The State Govt./UT Adm. concerned may grant No Objection to Return to India(NORI) facility for a maximum period of 90 days to Pakistani nationals living in India on LTV approved by this Ministry or whose request for LTV is under consideration in the State Government/UT Administration /Ministry of Home Affairs, as follows:-
  - (a) Once in a calendar year to go to Pakistan
  - (b) Once in a calendar year to go to a third country

However, in deserving cases on extreme compassionate grounds, the State Government/UT Administration concerned may grant NORI endorsement more than once in a year on merits provided the person concerned has not come to any adverse notice.

In all cases where the Pakistan national has furnished details regarding the intended date of departure, intended date of

return and the legitimate purpose of visit, NORI endorsement shall be granted within five working days.

(7) Pakistani nationals living in India on LTV approved by the Ministry of Home Affairs or whose LTV proposal is under consideration of the State Government/ UT Administration/Ministry of Home Affairs, may be granted permission for change in mode of travel and port of exit by the State Government/ UT Administration concerned subject to usual checks and nothing adverse against the said Pakistani national. Further, the Pakistani nationals will be allowed only any one of the designated check posts as indicated in para 15.4 of the Visa Manual as Port of exit. However, change in mode of travel to 'by foot' should not be permitted except with the prior approval of the Ministry of Home Affairs.

4. At present, Pakistani Doctors living in India on LTV can do private practice at their designated place after obtaining prior No Objection from Medical Council of India and MHA. There will be no change in this procedure.

5. Cases of Pakistani nationals belonging to minority communities in Pakistan i.e. Hindus and Sikhs, who have come on Pilgrim visa and have not gone back on grounds of religious persecution for grant of Long Term Visa may be processed in terms of this Ministry's letter no. 12011/26/2011-F.III dated 7<sup>th</sup> March 2012 read with letter no. 25022/34/2011-F.IV dated 29.12.2011 regarding the procedure to be followed to deal with foreign nationals who claim to be refugees.

6. Cases of extension of LTV of Pakistani nationals who originally entered India on or before 31.12.2009 on a valid Passport issued by the Government of Pakistan but has not been able to renew the Pakistani passport because of non-possession of Computerised National Identity Card issued by Government of Pakistan may be processed in the light of this Ministry's Notification S.O.1115(E) [F. No. 12011/25/07-F.III] dated 15.10.2010. Extension of their LTV may be endorsed on their Residential Permit.

7. Cases of extension of LTV of male Muslim community member being originally an Indian citizen who went to Pakistan after partition (between 15.8.1947 and 31.12.1965) leaving behind family in India and returned back to India and settled in the State of Kerala on a valid passport issued the Government of Pakistan, which has either expired or lost, may also be processed in the light of this Ministry's Notification

53

S.O.1115(E) [F.No. 12011/25/07-F.III] dated 15.10.2010. Extension of their LTV may be endorsed on their Residential Permit.

8. The above changes will come into force with immediate effect. -

Yours faithfully,

Yours faithfully,

(Vikas Srivastava)

Vikas Srivastava

(Vikas Srivastava)

(Vikas Srivastava)

Under Secretary to the Govt. of India

Copy to:-

1. Joint Secretary(PAI), Ministry of External Affairs.
2. Joint Director, BOI
3. Joint Director(Pak), IB
4. Cabinet Secretariat

Copy also to:-

JS(F)/Director(MU&I)/Director(F.II)/DS(F)/DS(C)/US(OCI)

Most Immediate  
Speed Post

52

No.26030/266/2014-IC-II  
Government of India/Bharat Sarkar  
Ministry of Home Affairs/Grih Mantralaya  
( Foreigners Division)  
\*\*\*\*\*

NDCC-II Building, Jai Singh Road,  
New Delhi, Dated 17<sup>th</sup> November, 2014

To,  
The Principal Secretary (Home)  
of all the States/UTs  
(As per standard list)

Subject :- Permission/exemption for manual acceptance of application for grant of Indian Citizenship to Minority Community migrated from Pakistan/Afghanistan .  
\*\*\*\*\*

Sir,

I am directed to state the following with reference to Pakistan/Afghanistan nationals of Minority Community ( Hindu/Sikhs), who are living in India on LTV, for grant of Indian Citizenship. Government of India have considered the difficulties being encountered by such Pakistan /Afghanistan nationals in submitting their application for grant of Indian Citizenship. Keeping in view of difficulties faced by some of the applicants who have entered India before 31.12.2009 and whose Passports have either expired or lost, the Government has decided to grant relaxation in following manner in submitting their citizenship applications:-

- i. The applicant has to be eligible for grant of Indian Citizenship.
- ii. The eligible applicants who are facing difficulty in applying in On Line System can submit their application through Off Line.
- iii. The LTV of the applicant should be valid at the time of submitting citizenship application at the DM/Collector/DC office.
- iv. Children of Minority Community who entered in India on the basis of their parents Passport, they can apply without Passport for grant of Indian Citizenship after regularization of stay in India. They have to register with the FRO of the concerned district for the regularization.

Continued P-2/

v. Children of Minority Community born in India, can apply with out Passport for grant of Indian Citizenship after regularization of stay in India. They have to register with the FRO of the concerned district for the regularization.

vi. If an applicant files an affidavit before the authority prescribed under Rule 38 of the Citizenship Rules 2009 that may be considered in lieu of Renunciation Certificate. The applicants have to deposit their expired Passport to Collector/ District Magistrate/Deputy Commissioner office with other documents. Specimen of such an affidavit is enclosed herewith.

2. State Governments/ UTs administrations are therefore requested to take further necessary action accordingly.

Encl. As above

Yours faithfully

  
17/11/18

(G.K. Dwivedi)

Joint Secretary ( Foreigners )

Tel.No.011-2343 8034

Fax No. 011-2343 8033

AFFIDAVIT

50

son/wife/husband

of \_\_\_\_\_ residing

at \_\_\_\_\_ make oath/do solemnly and sincerely affirm and

state as under:-

(i) I have already surrendered my Pakistani/Afghani Passport No. \_\_\_\_\_  
issued at \_\_\_\_\_ valid till \_\_\_\_\_ to the \_\_\_\_\_  
vide Embassy Receipt No. \_\_\_\_\_ dated \_\_\_\_\_

(ii) I further submit that despite a lapse of three months from the date of  
submission of my documents to Pakistani/Afghani authorities,  
renunciation certificate has not been issued to me by the  
Pakistani/Afghani authorities.

(iii) That I hereby totally and irrevocably renounce all my claims to  
Pakistani/Afghani nationality willingly and I shall not raise any claim on it  
in future.

Whatever state above is true to my own knowledge and belief

DEPONENT

Place :-

Date:

Note:- This should be attested by the officer authorized under Rule 38 of the  
Citizenship Rules 2009 i.e. the Collector/Deputy Commissioner/District Magistrate.