



# Rights of Overseas Citizens of India

## Why in News

Recently, the government has notified a consolidated list of rights of the [Overseas Citizens of India \(OCI\)](#).

- The rights and restrictions are not new, they have been **notified previously in 2005, 2007, and 2009**. They were also mentioned in an OCI brochure published by the Ministry of Home Affairs in November 2019.

## Key Points

### ▪ Multiple Entry Lifelong Visa:

- OCI cardholders will be entitled to get multiple entry lifelong visas for visiting India for any purpose.

### ▪ Prior Permission:

- OCI cards would need prior permission for a set of activities that include **research, journalism, mountaineering, missionary or Tablighi work**, and **visits to restricted areas**.

### ▪ Parity with Non Resident Indians (NRIs):

- OCI cardholders will enjoy parity with **NRIs** in **adoption of children, appearing in competitive exams, purchase or sale of immovable property** barring agricultural land and farmhouses, and **pursuing professions** such as doctors, lawyers, architects, and chartered accountants.

### ▪ Parity with Indian Nationals:

- They have parity with Indian nationals in the matter of domestic air fares, entry fees to monuments and public places.

### ▪ Entrance Exams and Admissions:

- OCIs **can appear** for all-India entrance tests such as [National Eligibility cum Entrance Test \(NEET\)](#), Joint Entrance Examination (Mains), Joint Entrance Examination (Advanced) or such other tests **to make them eligible for admission only against any NRI seat or any supernumerary seat**.
- The OCI cardholder **shall not be eligible for admission against any seat reserved exclusively for Indian citizens**.

### ▪ Other Economic, Financial and Educational fields:

- In respect of all other economic, financial and educational fields not specified in the latest notification or the rights and privileges not covered by the notifications made by the [Reserve Bank of India](#) under the [Foreign Exchange Management Act, 1999](#), the **OCI cardholder shall have the same rights and privileges as a foreigner**.

### ▪ Exemption:

- They are exempted from registration with the **Foreigners' Regional Registration Officer (FRRO)** for any length of stay in India.
- Foreigners visiting India who **hold long-term visas (more than 180 days) are required to register their presence** in India with the Foreigners' Regional Registration Office (FRRO).

#### ▪ **Restrictions:**

- There will be **no restriction in visiting religious places** and attending normal religious activities like attending religious discourses.
- However, preaching religious ideologies, making speeches in religious places, distribution of audio or visual display/pamphlets pertaining to religious ideologies, spreading conversion etc. **will not be allowed.**

### **Overseas Citizen of India**

- The **Ministry of Home Affairs** defines an OCI as a person who:
  - Was a citizen of India on or after **26<sup>th</sup> January 1950**; or
  - Was eligible to become a citizen of India on **26<sup>th</sup> January 1950**; or
  - Is a **child or grandchild of such a person**, among other eligibility criteria.
- According to **Section 7A of the OCI card rules**, an applicant is not eligible for the OCI card if he, his parents or grandparents have ever been a citizen of Pakistan or Bangladesh. The category was introduced by the government in 2005.
- The Government of India via **Citizenship (Amendment) Act, 2015** merged the **Person of Indian Origin (PIO) category with OCI category** in 2015.

### **Non Resident Indian**

- A Non-Resident Indian (NRI) means a person resident outside India who is a **citizen of India** or is a person of Indian origin.
  - An Indian citizen residing outside India for a combined total of at least **183 days in a financial year** is considered to be an NRI.
- NRIs **enjoy voting rights** and are required to **pay and file the income tax return** on their Indian income like resident Indians.
  - NRI is more of a technical classification for taxation purposes and investment purposes.
- However, in case an **NRI wishes to take up foreign citizenship, he/she will have to give up Indian citizenship** as the Indian constitution does not allow dual citizenship.
  - A person cannot hold Indian as well as foreign citizenship simultaneously.

### **Foreigner**

- As per the the **Foreigners Act, 1946**, foreigner means a person who is not a citizen of India.
- The Fundamental Rights guaranteed by **Articles 14, 20, 21, 21A, 22, 23, 24, 25, 26, 27 and 28** are **available to all persons whether citizens or foreigners**. The **Fundamental Rights guaranteed by Articles 15, 16, 19, 29, and 30** are **available only to citizens** of India.

[Source:IE](#)

