

## Eligibility, Benefits and Application Process

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*In this issue I have chosen to write about the OCI and PIO cards issued to Indian Nationals. The topic of OCI or PIO becomes relevant once an Indian citizen acquires the citizenship of another country. This article is for general information and specific questions or/about unusual issues should be directed to the Indian Consulates in US. India does not allow dual citizenship. The PIO or OCI cards are generally required by Indians who have acquired the citizenship of another country.*

### Surrendering Indian Citizenship

Whether you are applying for OCI or PIO, you will be required to surrender your Indian citizenship prior to the acquisition of OCI or PIO. If you have acquired the citizenship of a foreign country after June 1, 2010, you will be required to pay a renunciation fee of \$175.00 along with the application of surrendering Indian Citizenship. You have to send your Indian Passport along with the application for cancellation. You are required to surrender the Indian Citizenship within 90 days of acquiring the citizenship of a foreign country, in case of any delay, penalties may be imposed. A surrender certificate is issued to the applicant once the process is completed.

Currently, the application for surrendering the Indian Citizenship is accepted only by mail and can be applied together with the application of OCI or PIO.

### Person of Indian Origin (PIO) Card:

PIO Card is issued to persons of Indian Origin (up to fourth generation) who are settled throughout the world EXCEPT for those who are settled in Pakistan or Bangladesh. PIO card allows the card holder Visa free travel to India and many other benefits.

Person of Indian Origin is a citizen of a foreign country (except for Pakistan or Bangladesh) who:

- a) Has held an Indian Passport at any time in past; Or
- b) Whose parents, grandparents, or great grandparents, were born and permanently resided in India or any other territories that became a part of India; Or
- c) Who is a spouse of a citizen of India or of any person of Indian Origin as mentioned in "a" and "b" above.

In order to apply for the PIO card, the applicant has to submit the application along with supporting documents to the Indian Consulate having jurisdiction over his area of residence. The Indian Consulate in Houston, TX has jurisdiction over Florida residents.

There is an application fee of \$365.00 payable to the Indian Government. The fee is \$185.00 if the applicant is under 18 years of age. The application form is available on the websites of the Indian Consulates. It generally takes the Consulate to process the card in 4-5 weeks, however the time line may vary depending upon which Indian Consulate is handling the application.

A PIO card is valid for fifteen years. A PIO card holder while allowed a visa free travel to India is still required to report to police authorities if his/her stay in India is longer than 180 days. A PIO card holder is eligible to study in India under NRI quota. A PIO Card holder is not eligible for any Government Job but is allowed to work in private sector.

PIO card holders have no voting rights in India. In addition they cannot hold any constitutional post or be a candidate of legislative

assembly. They can make investments in India but cannot acquire agricultural or plantation properties unless such properties are inherited by them.

### Overseas Citizenship of India (OCI)- Not Dual Citizenship:

It is important to understand that OCI is not dual citizenship. Being an OCI is not same as being a regular Indian Citizen.

Looking at the strict definition, any foreign national and his/her children or grand children, are eligible to apply for OCI if the foreign national was:

- a) Eligible to become a citizen of India on January 26, 1950; Or
- b) Was a citizen of India on or after January 26, 1950; Or
- c) Belonged to a territory that became a part of India on August 15, 1947

Unlike PIO the OCI does not have derivative benefits for the spouse. In other words the spouse of an OCI can apply for the OCI card ONLY if the spouse is eligible for OCI on his/her own.

Again the citizens of Pakistan or Bangladesh are not eligible even if they meet all the requirements.

Application for OCI, while submitted at the Indian Consulates in foreign countries, is processed in New Delhi, India. The application is generally submitted online upon which a registration number is generated. At that point all the supporting documents have to be submitted to the Indian Consulate that has jurisdiction over your residential area. An OCI application can take 2 to 4 months to get processed.

The application fee for OCI is \$275.00 if you are a U.S. citizen, it is \$25.00 if you are a PIO Card holder as well. For applicants who are not U.S. citizens but citizens of any other country the application fee is \$295.00, it is \$45.00 if the applicant (non U.S. citizen) is also a PIO holder.

OCI is not a passport. It is only a multipurpose multi visit visa to India. Unlike PIO, OCI card is valid for life. An OCI card holder is not required to report to police authorities for any length of stay. Same as PIO card holder, an OCI card holder is eligible to study in India under NRI quota. An OCI card holder is not eligible for any Government Job but is allowed to work in private sector. Similar to PIO card holders, OCI card holders have no voting rights in India. In addition they cannot hold any constitutional post or be a candidate of legislative assembly. They can make investment in India but cannot acquire agricultural or plantation properties unless such properties are inherited by them.

Whether you are applying for PIO or OCI, it is recommended you start from renunciation of the Indian Citizenship.

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