

W. Saleh

Van: Sujit Pandit [sujitpandit@hotmail.com]
Verzonden: dinsdag 29 september 2009 3:26
Aan: w.saleh@indiawijzer.nl
CC: kandiyoor@hotmail.com
Onderwerp: RE: Overseas Citizenship of India (OCI) card in relation to expired foreign passports
Bijlagen: image001.jpg

Ladies and Gentlemen:

Our goal is to make travel to India less stressful and a matter of joy. The current OCI (Overseas Citizen of India)/PIO (Person of Indian Origin) rules are irrational and confusing that often cause hardship to the travelers.

The bureaucrats and politicians do not like to change any rules unless there is overwhelming pressure from the public. So, if you would like to change the ambiguous OCI/PIO rules please write to the Indian ambassador to the USA, the Consular General of India, the Prime Minister of India, the Minister of External affairs, The Home Minister and other civil servants and politicians in India. You may also write to the various Indian media and the Indian action, social and political groups. Please ask your friends to do the same.

If you want to write only a short paragraph then write the following or something like this:

'When an individual has a US Passport and an OCI card, production of a Visa should not be insisted upon, because the evidence of a valid visa is implicit in the OCI card, which may be deemed to be a certification higher than the Visa itself.'

If you want to send a more elaborate explanation then send them my story:

From:
 Sujit Pandit M.D.
 2680 Lowell Road
 Ann Arbor MI 48103
 sujitpandit@hotmail.com

RE: OCI (OVERSEAS CITIZEN OF INDIA) RULES SHOULD BE CHANGED

Following my e-mail message (a copy is attached below) about my aggravation at the Kolkata airport over the OCI card, I have received about 400 responses. I am absolutely overwhelmed and thankful to all those who have written. I had no idea how deeply the Indians all over the world feel about this issue. Most people were thankful to me for sharing my story so they can learn from my bad experience. The majority, about 90% of the responders was outraged at the lack of common sense and common courtesy of the immigration officials at the Kolkata airport. More than a dozen people have narrated their own horror stories, very similar and even worse than mine at airports in India when they arrived with an OCI card only, these are really heart wrenching stories involving small children and the whole family members undergoing incredible hardships. Others were alerted at the last moment by the airlines officials at the departing airport in the USA about the

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need to carry the visa sticker that may be in their old passport. Some were surprised that I had the problem because they have gone to India with just the OCI card and they were allowed to enter India without having to show their visa. Some assumed that the problem may be at the Kolkata airport and probably the corruption is rampant there. They suggested that the officers there might be looking for a bribe. Many were still confused about the rules of the OCI and have asked me for advice. Many others narrated the appalling treatment they have received at the various Indian consular offices.

About 10% of the responders said I got what I deserved at the Kolkata airport for not reading rules of the OCI card and for not following the rules strictly. They thought the officers were just doing their duties.

Some especially from England and Canada told me that they have PIO (Person of Indian Origin) cards and had never had to show their visa at the Indian airports. And the OCI is supposed to be the upgraded version of the PIO card. Go figure.

One person has written that for a family of five (three children) under the current OCI rules he has to carry fifteen travel documents when going to India (five old passports, five current passports and five OCI cards)

I am thankful to all who have taken the time to write to me.

I know it was my mistake for not taking my old passport with the visa sticker with me and I will never make the same mistake again; the main purpose of my mail was to warn my friends not to make the same mistake that I made.

But, then my friend Dr. Dinesh Patel from Boston pointed out to me that the rules CAN be changed and the bad/confusing rules SHOULD be changed. I think that is a great point. Rather than just accepting and following the bad rules and thus perpetuating them, we should try to change the bad rules. In addition because of the confusing name of the OCI and the false buzz about the "Dual Citizenship" many people make the same mistake as I did. When so many people make the same mistake in spite of the rules, then may be the system needs to be fixed. Confusing rules of OCI vis-à-vis PIO needs to be changed. The bad rules can only be changed if there is enough pressure from the public to the politicians and the civil servants. .

I believe, just like the persons holding a PIO card the OCI card holders should also be allowed to enter India without having to bring the old visa sticker every time. The fact is, whenever any one is granted his/her OCI card, he/she is thoroughly vetted and only then the OCI card is issued along with a life long visa sticker. Both go hand in hand. You cannot get an OCI card without a life long visa. I know that in spite of the puzzling name (Overseas CITIZEN of India) the OCI card is not a passport, right now we can not have both American (or Canadian or UK) passports as well an Indian passport But, the OCI card can be and should be the visa substitute. As far as the entry requirement to India the OCI card could act like the US Green card. Once you have it there will be no need to carry a separate visa ever.

When an individual has a US Passport and an OCI card, production of a Visa should not be insisted upon, because the evidence of a valid visa is implicit in the OCI card, which may be deemed to be a certification higher than the Visa itself.

The other problem is the utter lack of common courtesy and competence at the various Indian Consular Offices. I have received more than 15 mails that detail their dreadful experiences at various Indian Consular Offices. These Consular offices are amateurish and incompetent. I myself had a horrible time trying to get my OCI card in Chicago. When I complained, there was no response. I can not even think about going back there to get my visa sticker transferred from my old passport to my new one, and what about when I get yet another new passport? This is a disgrace that the officials at the Consular offices are not trained to be courteous to their customers

like real professionals.

We need to bring pressure on the politicians and civil servants to simplify the procedure and let the OCI card be the visa substitute. Please send this mail to others once again and may be some one knows an important person who will understand the problem and solve it. That will make travel to India a joy and not stressful. We also need to make the Indian Consular offices more "Professional".

I am attaching a copy of my original e-mail:

MY DUAL CITIZENSHIP WOES: MY RECENT EXPERIENCE WITH THE IMMIGRATION DEPARTMENT AT THE KOLKATA AIRPORT AND THE LESSONS I LEARNT

My advice to all my friends who hold an OCI (Overseas Citizen of India) Card and those who aspire to get one.

I am an American citizen. I also carry an OCI card (Overseas Citizen of India) since 2007.

On Saturday, June 20, 2009, I arrived at the Kolkata Netaji Subhas Airport from Detroit via Singapore, by Singapore Airlines (SQ 516) at 10:30 P.M.

I presented myself to an Immigration Officer (Mr. Biswas) for immigration clearance. I gave him my American passport and my OCI card. He demanded to see my visa from the Indian consular office. Unfortunately, that visa was attached to my old passport and I did not bring it with me.

I explained to him that I am sorry I forgot to bring my old passport but since I do possess a valid OCI Card that would automatically mean that I do also possess a permanent (life long) visa for India and there are proofs that I have traveled multiple times to India after I had received my OCI card.

Mr. Biswas detained me for two hours inside the airport and then he told me that he is going to allow me to stay in India for 72 hours and asked me to report to the Foreign Relations Regional Officer (FRRO) in the city within 72 hours. He kept my passport. During all that time I had no opportunity either to approach his OC (Officer in Charge) although I asked for it, or to contact my relatives who came to the airport to receive me and were waiting outside and had no idea why I was being held back or if I have even arrived.

Forgetting to bring my old passport was my own fault but I 'forgot' to bring it partly because I knew I have my OCI Card with me and I thought, that means something, I really believed that I am a citizen of India too. Why would a citizen also need a visa to enter his own country? I thought I have a dual citizenship for both the USA and India. Other wise, what is the difference between an ordinary foreigner and the OCI Card holder?

Next day was a Sunday, I called a friend in Ann Arbor who went into my house, got my old passport and sent me the scanned copy of my old passport and a copy of my permanent visa by e-mail.

So, on Monday I went to see Mr. Bibhas Talukdar, the FRRO. He hardly looked at the documents (the scanned visa) that I had with me he simply asked me to get my old passport by courier mail within another seven days. He appeared gleeful telling me that it is only out of "pity" that he is allowing me to stay in India for seven more days. He was totally unimpressed by either my status as a Professor Emeritus of the University of Michigan or my age (70+)

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I called my friend in Ann Arbor again who then sent my old passport by FedEx. Three days later the passport arrived. Since I had to leave Kolkata for prescheduled visit to Bangalore, my niece took it to Mr. Talukdar. But due to lack of communication between the FRRO office and the airport immigration department my passport had not arrived at the city office even after 9 days. My niece had to go to the FRRO's office three times once waiting until 6 P.M. still they did not have my passport. They only promised: "it will come soon". At last, 12 days after my arrival, my niece got my passport.

From this painful and anxiety provoking experience I have learned a few valuable lessons:

1. The loud talk about "Dual Citizenship" for Indian Americans is just a political hoax.
2. The OCI card just does not have any value. It is just a piece of expensive junk. You still need a visa every time you travel to India whether or not you possess an OCI card. Only difference is that for the high price of getting an OCI card you will get a "life long " visa. A 10-year visa is much cheaper.
3. When coming to India always consider yourself a foreigner and bring your visa with you, there will be no exceptions. Your OCI card is not a visa substitute.
4. In fact, you will probably be treated worse than an ordinary foreigner arriving without a valid visa. Because a foreigner especially a white Caucasian will at least be treated with courtesy and probably offered a temporary visa if there is no reason to deny it, but not you.
5. Since the word "CITIZEN" in the OCI card is the root cause of confusion, the name should be changed.

Please feel free to forward this mail to any of your friends who may benefit from my experience. Especially feel free to forward this to any influential politician or civil servant in India that you may know.

Sujit K. Pandit M.D.
Professor Emeritus
Department of Anesthesiology
University of Michigan
Ann Arbor, MI
48109, USA
sujitpandit@hotmail.com

From: w.saleh@indiawijzer.nl
To: sujitpandit@hotmail.com
CC: kandiyoor@hotmail.com
Subject: Overseas Citizenship of India (OCI) card in relation to expired foreign passports
Date: Mon, 28 Sep 2009 11:47:37 +0200

Dear Dr. Pandit,

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One of my friends Mr. Suresh Kandiyoor has informed me about your problems faced in India for not carrying the old passport with the OCI sticker pasted in to it.

My name is Wahid Saleh. I live in the Netherlands. I am a retired person and active in various social activities both in the Netherlands and in India. I am aware of the problems faced with PIOs with an OCI visa sticker pasted to an expired foreign passport. I have and I am corresponding with the MOIA about this issue. Last week during the Pravashi Bharatiya Divas Europe, I have once again taken up this issue with the Secretary of MOIA. I have also corresponded with the minister on this subject. I maintain an India centric internet site. The URL is www.indiawijzer.nl . Under the link "about Wahid" you will get some background information about my activities. I have included the following info about OCI card and expired passport"

Quote:

Overseas Citizenship of India (OCI) card in relation to expired passports

The OCI is a life long visa pasted to a foreign passport. Together with the OCI card it is valid also with an expired foreign passport. In the Netherlands the passport issuing authorities punch holes in an expired passport. If requested some Dutch municipalities don't punch any hole on the passport page with the OIC visa pasted on it. Wahid requested the Ministry of Overseas Indian Affairs to issue OCI visa pasted to the OCI booklet just like PIO cards issued in a separate booklet. He also suggested to instruct the immigration officials at the international airports in India to accept a passport with holes punched in it. Shri Vayalar Ravi, minister of MOIA replied that they are striving to find a via-media.

Unquote:

It takes a long time to get something realised from the governments. It took me seven years of correspondence with Dutch and the Indian governments to get the Dutch old age pension to be paid in India.

I intend to contact the MOIA one again. I shall then include the copy of the mail with your correspondence with my mail to them. In this regard would you be kind enough to send me the link where your letter to the editor was "published"? If you have any other information on this subject, please do provide me the same.

Warm regards,

Wahid Saleh
Chrysanthenhof 33
2651 XJ Berkel en Rodenrijs
The Netherlands
Tel: 010-5114400
Fax: 010-5121123
E-mail: w.saleh@indiawijzer.nl

The Dutch portal with India related information

Coming together is a beginning | Keeping together is progress | Working together is success

