OCI card and expired Dutch passport

Indian constitution doesn't allow dual citizenship (holding Indian citizenship and citizenship of a foreign country). The Government of India introduced Overseas Citizen of India card, which most people mistakenly refer to as "dual citizenship". The name is Overseas Citizen of India If an OCI card is issued it is not the same as being an Indian citizen i.e. Indian passport holder. OCI card together with the U-visa recognise ones cultural roots in India and extends a welcoming hand from the land we originally have our roots.

With OCI card you don't get an Indian passport. There is no such thing as an OCI passport. When the OCI card was introduced with the OCI U visa sticker pasted to the foreign passport, there was no hassle in travelling to India. The hassle started when the foreign passport had to be renewed and people started travelling to India with the OCI card and a valid passport without the U-visa pasted to the new passport. Immigration officials in India refused permission to enter India for such travellers and in many cases they were deported within hours of their landing.

The instructions on the OCI card are not complete. It is not mentioned that the OCI card alone just does not have any value and the OCI card holder will always need the OCI visa every time he/she travels to India. It is not mentioned in the OCI passport sticker that one has to carry also an expired passport with the OCI visa pasted on it.

With a valid foreign passport and a PIO card one can travel to India. No Indian visa is required. But in case of Overseas Citizen of India (OCI) card a valid U visa is required. This visa is pasted to one of the pages of the foreign passport. **In case of an expired foreign passport with a U-visa pasted to it, you need the following documents to travel to India:**

1. A valid foreign passport
2. The OCI card
3. The expired foreign passport with the valid U-visa pasted to one of its pages.

The OCI card issued by the GOI has a life long validity. The visa is pasted to one of the pages of the Dutch passport. The Dutch passport has a validity of 5 years. Every five year a new passport is issued. The expired passport is made invalid by punching a number of holes.

If care is not taken the holes will be punched through the OCI visa making it invalid. I have signalled this problem to the Ministry of Overseas Indian Affairs and corresponded with them. Please find herewith a copy of my correspondence.

The MOIA has informed that OCI visa in an expired and cancelled Dutch passport will remain valid for travelling to India. Provided the page with the OIC visa should be intact and without any hole punched through it.

A few of my friends of Indian origin with expired Dutch passport requested the respective municipalities not to punch holes through the page containing the OCI visa.

They cancelled the expired passport without punching holes through the passport page with the OCI visa. With the expired cancelled passport and the new Dutch passport they travelled to India without any problem.

The PIO card is also travel document, a multiple entry visa to travel to India. It is valid for 15 years. Wahid requested the Ministry of Overseas Indian Affairs to issue an OCI visa pasted to the OCI booklet or a single document like the PIO card issued as a separate booklet valid for life long. He also suggested the MOIA 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.

1. Validity of OCI visa and expired foreign passport - Correspondence with MOIA

Van: W.Saleh [mailto:w.saleh@indiawijzer.nl]
Verzonden: zondag 13 april 2008 12:28
Aan: 'usds.moia'
CC: 'jsfs@moia.nic.in'; Riva Ganguly Das(Minister)
Onderwerp: RE: validity of an OIC card in an expired passport

Dear Mr. Thekkat,

Thanks for your mail. After receipt of your mail I tried to contact OCI cardholder with an expired Dutch passport to learn from their experience and share the same with others. In the mean time I was able to contact a few of them who have expired Dutch passports with holes punched in the passport.

At their request the Dutch municipalities like Amsterdam and other places which issue the passport did not punch holes on the visa page of the expired passport containing the OCI visa sticker. Holes were punched on the rest of the pages of the passport.

Together with the new Dutch passport and the old cancelled passport with holes punched in it, but the page with the valid OCI visa intact (without any holes punched), they travelled to India. At the airport passport control, the Indian immigration officers accepted the OCI visa of the old expired passport with holes in it. Together with the new passport and the cancelled passport with the OCI visa and the OCI card they are travelling to India without any problem.

Although my Dutch passport is not yet expired I went to the local city office and enquired if at the time of issuing a new passport they would leave the page of the expired passport with a valid OCI visa intact. They replied in the affirmative.

On the light of the above information I assume that there is no need to apply for a new OCI visa if the Dutch authorities keep the valid OCI visa sticker on the expired passport intact.

Would you be kind enough to confirm if the above assumption is correct?

Sincerely yours,

Wahid Saleh

Van: usds@moia.nic.in [mailto:usds@moia.nic.in]
Verzonden: vrijdag 28 maart 2008 12:08
Aan: w.saleh@indiawijzer.nl
CC: jsfs@moia.nic.in
Onderwerp: Re: validity of an OIC card in an expired passport

Dear Sir,

Thank you for your mail.

An OCI visa sticker with holes punched on it may not be accepted at the immigration counter at the airports in India. Immigration offices are advised to accept expired foreign passports with U-visa sticker on them, but not the ones with holes punched on them. If your old passport has a hole, I would suggest you to apply for a new set of documents using the on-line miscellaneous form. The form is simpler than the original application form. However, the same procedure of submitting the application in the Embassy has to be followed. Normally Indian Embassies abroad accept OCI application forms by post.

Suggestion contained in para 5 of your message has been noted. However, it is not possible to stick the visa sticker in the OCI registration booklet as the booklet is not an internationally accepted travel document.

Vanaja K. Thekkat
Under Secretary (DS-II)

----- Original Message -----
From: W.Saleh
To: 'usds.moia'
Cc: jsfs@moia.nic.in ; Riva Ganguly Das(Minister)
Sent: Friday, March 28, 2008 1:54 PM
Subject: RE: validity of an OIC card in an expired passport

Dear Mr. Thekkat,

First of all congratulations! A reply within 24 hours! I never expect such a quick reply from Government of India. I assume MOIA is an exception. Other departments of GOI should follow your example.

In response to your reply I would like to inform you the following:

1. I did not get a reply to my question. In my e-mail I mentioned that holes are punched in an expired Dutch passport. The hole can go through the photo pasted on the OCI visa sticker or other important data. Even we carry it with us will the immigration officials accept the same? With the experience of some the travellers with the immigration officials in India it can be safely assumed that an OCI cardholder with an expired passport, with holes punched through the photograph of the OCI visa would be denied entry to India. Would you be kind enough to oblige and inform if any instruction has been given to the immigration department to accept this type of expired passport?

2.   From your second remark I understand that in order to get a new sticker one has to apply for a new set of documents. I don't know about other countries, but in the Netherlands t present, the new passport issued is valid for 5 years. It means every 5 year one has to under go the same procedure to have a valid OCI visa sticker in his passport.

3. The OCI visa-sticker is issued from New Delhi and not by the local embassy. As a result after online application we have to take two days off from our office – one day to submit the application in the embassy and another day to collect the passport. Moreover every 5 year we have to pay US$ 25/-. The time taken between the online application for OCI and issuance of the OCI sticker is around 4 weeks. In my case it was 6 weeks. During this period in case of emergency like demise of a dear one – one cannot travel to India.

4. On the basis of the above it can be said that in order to keep the OCI card valid, in its present form, one has to follow a time consuming, unfriendly, repetitive procedure.

In comparison to obtain and keep the PIO card the procedure to follow is much simpler and client friendly. It is issued by the local embassy.

5. I kindly request you to explore the possibility of issuing a separate OCI card which can be carried separately or inserted in the passport without pasting it. If a sticker has to be used and pasted would it not be possible to paste it to page 2 of the OCI card?

Warm regards,
Wahid Saleh

Van: usds@moia.nic.in [mailto:usds@moia.nic.in]
Verzonden: vrijdag 28 maart 2008 4:44
Aan: w.saleh@indiawijzer.nl
CC: jsfs@moia.nic.in
Onderwerp: Re: validity of an OIC card in an expired passport

Mr. Wahid Saleh
Chrysantenhof 33
2651 XJ Lansingerland
The Netherlands

Dear Sir,

Kindly refer to your email dated 27th March, 2008, addressed to Shri G. Gurucharan, Joint Secretary (FS).

A new miscellaneous on-line application form has been launched to facilitate issue of new set of OCI documents (OCI card and U-visa sticker). The application form and other details are available on the website : www.mha.nic.in.

OCI card holders validity of whose passports is expired have a choice to either carry the old passport which has a valid U-visa sticker or apply for a new set of documents on payment of US$ 25/-.

Yours sincerely,

Vanaja K. Thekkat
Under Secretary (DS-II)

----- Original Message -----
From: W.Saleh
To: G. Gurucharan (Joint Secretary, MOIA)
Cc: Riva Ganguly Das(Minister) ; Dr Thomas Abraham (GOPIO) ; Ashook Ramsaran (GOPIO)
Sent: Thursday, March 27, 2008 4:14 PM
Subject: validity of an OIC card in an expired passport

Dear Mr. Gurucharan,

I would like to draw your kind attention to the following problem which a few of the OIC cardholders might face in the very near future.

The OIC is a life long visa pasted to the foreign passport. We were informed by the embassy that OIC will be valid even with an expired passport. If we visit India we have to carry the new passport as well as the expired passport and immigration officer at the airport in India will allow entry to India without any problem. So far the procedure is clear.

But the problem is that some of the countries punch holes in the expired passports. For example the Dutch does. Some cities punches 3 holes and other may be 5. The holes are also punched in the OIC. It is very well possible that a hole is also punched in the photo of the OIC cardholder and other data. To give an idea I have scanned an expired Dutch passport and super impose an OIC card with punched hole in it. See below.

My question is will the OCI card with the "holes" punched in it will still be valid and would the OCI card holder get permission to enter India? If not would the local embassy issue a duplicate OCI sticker into the new passport? Just like the PIO card would it not be possible to issue a separate card for the OIC card holder?

Warm regards,
Wahid Saleh
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E-mail: w.saleh@indiawijzer.nl
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Experience of PIOs with an OCI card and without OCI visa travelling to India:

- http://sindhitattler.com/vishnu/node/20
- http://www.dnaindia.com/mumbai/report_homeward-bound-nri-sent-back-for-visa_1181625
- http://gleez.com/articles/information/does-an-overseas-citizen-of-india-oci-have-right-of-entry-and-exit-like-a-citizen
- http://news.rediff.com/report/2009/oct/29/flying-to-india-carry-old-passport-with-oci-card.htm