

**MOST IMMEDIATE**

**F.No.25022/212/2015-F V**  
**Government of India**  
**Ministry of Home Affairs**  
**(Foreigners Division)**  
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NDCC-II Building, Jai Singh Road,  
 New Delhi-110001.

To

dated the 17th July, 2017

1. The Principal Secretary (Home) of all State Government/ UTs
2. DGPs of all State Governments/UTs concerned
3. All FRROs/ FROs

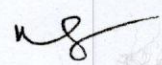
**Subject: Stay Visa/Residential Permit/ Long Term Visa (LTV) Policy for Afghan nationals in India.**

Sir,

In continuation to this Ministry's letter No. 25022/16/2014-FV dated 27.6.2014 and F.No. 25022/212/2015-FV dated 22.9.2016 & 5.5.2017, I am directed to say that the policy for grant of extension of 'Stay Visa/Residential Permit' beyond 30th June 2017 and grant of LTV to certain categories of Afghan nationals staying in India due to disturbed conditions in that country has been examined by the Government and the following decisions have been taken with the approval of the competent authority:-

**Grant/Extension of Stay Visa/ Residential Permit**

1. Stay Visa/Residential Permit for one year at a time may be granted with the approval of MHA by FRRO/FRO concerned to Afghan nationals on a case to case basis on the grounds of well-founded fear of persecution on account of race, religion, sex, nationality, ethnic identity, membership of a particular social group or political opinion in Afghanistan as per the detailed procedure indicated in **Annexure-I**.
2. Extension of Stay Visa/Residential Permit, if justified, may be granted by FRRO/FRO concerned for one year at a time as per the procedure indicated in **Annexure-1**.
3. Economic immigrants i.e. who have arrived in India in search of economic opportunities, without any fear of persecution, **WILL NOT** be eligible for Stay Visa/Residential Permit. If such people are detected, the cases will be





investigated promptly and the persons will be prosecuted under the Foreigners Act.

4. Stay Visa/Residential Permit granted to Afghan nationals will be State/UT specific and their movement will be restricted to the State/UT where they are permitted to stay. For visiting any place in any other State/UT, such Afghan nationals will have to seek prior permission of the FRRO/FRO concerned.
5. Grant of Stay Visa/Residential Permit is subject to Police Reporting every year at the place where the Afghan national is allowed to stay.

#### Grant/ Extension of Long Term Visa (LTV)

6. Following categories of Afghanistan nationals will only be eligible for Long Term Visa (LTV):-
  - (i) Members of minority communities in Afghanistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians;
  - (ii) Afghanistan nationals married to Indian nationals in India and staying in India;
  - (iii) Indian origin women holding Afghanistan nationality married to Afghanistan nationals and returning to India due to widowhood/divorce and having no male members to support them in Afghanistan; and
  - (iv) Cases involving extreme compassion.
7. Above categories of Afghanistan nationals coming to India on short term visa may be granted extension of their short term visa up to a period of six months by the FRO/FRRO concerned, after satisfying that the Afghanistan national has applied for LTV with all requisite documents and after usual checks and there is nothing adverse against the said Afghanistan national.
8. Afghanistan nationals under eligible categories already staying in India on 'Stay Visa/Residential Permit' may also apply for grant of LTV.
9. Afghanistan nationals eligible for grant of LTV shall apply online on <https://indianfro.gov.in>. Detailed procedure for submission and processing of LTV application is indicated in **Annexure-2**.
10. LTV for five years at a time may be granted by the Ministry of Home Affairs to Afghanistan nationals belonging to categories (i), (ii) and (iii) mentioned in para 6 above. In the case of category (iv) mentioned in para 6 above, the initial LTV may be granted only for one year.
11. Subsequent extensions will be granted by the FRRO/State Government or UT Administration concerned on two-year basis for categories covered in (i), (ii) and (iii) in para 6 above after field verification about the conduct of the Afghan national. In respect of category (iv) mentioned in para 6 above, subsequent extensions on two-year basis will be granted by FRRO/ FRO concerned only with



the prior approval of the Ministry of Home Affairs. Procedure for submission and processing of extension of LTV application is indicated in **Annexure -2**.

12. In case of any adverse report, the matter should immediately be referred to the Ministry of Home Affairs online on the C-FRO system for taking a suitable decision.
13. Extension of LTV is subject to Police Reporting every year at the place where the Afghan national is allowed to stay.
14. The FRRO/FRO concerned may grant re-entry facility (Return Visa) for a maximum period of 90 days to Afghan nationals living in India on LTV or whose request for LTV is under consideration, as follows:-
  - (a) Once in a calendar year to go to Afghanistan
  - (b) Once in a calendar year to go to a third country (other than Pakistan)

However, in deserving cases on extreme compassionate grounds, the FRRO/FRO concerned may grant 'Return Visa' endorsement more than once in a year on merits provided the person concerned has not come to any adverse notice.

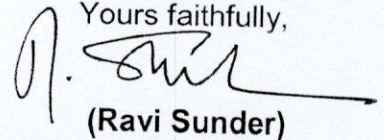
15. FRRO/FRO concerned is empowered to grant permission to Afghanistan nationals staying in India on LTV to engage themselves in employment of purely private nature i.e. excluding employment in Government/semi-Government, local bodies, cooperatives etc. Record of such permissions should be maintained by the FRRO/FRO concerned in the remarks/adverse comments column in UCF through C-FRO module.
16. Children of Afghan nationals staying in India on LTV are allowed to take admission in schools, colleges, universities, technical/professional institutions etc. subject to usual conditions prescribed for foreigners in this regard. No specific permission would be required for this purpose. However, an intimation in this regard shall be sent to the FRRO/FRO concerned.
17. Afghan nationals falling in category (i) mentioned in para 6 above and staying in India on LTV will be eligible for – (a) opening of bank accounts, (b) purchase of a small dwelling unit for self occupation or suitable accommodation for carrying out self employment, (c) taking up self-employment or doing business, (d) free movement within the State/UT (excluding Protected/ Restricted/ Cantonment areas), (e) transfer of LTV papers from one State/ UT to another State/UT, (f) reduced penalty on non-extension of short term visa/LTV on time, (g) submission of application for LTV at the place of present residence in cases where the applicants have moved without prior permission, (h) issuance of driving license, PAN card and Aadhaar number, as per the conditions laid down in MHA's orders No. 28020/58/2014 F-III dated 19/08/2016 (**copy enclosed**).



**General**

18. Phone numbers of all Afghan nationals on Stay Visa/LTV should be reported to the FRRO/FRO concerned and that any change should be informed to the FRRO/FRO concerned without delay.
19. No exit fee/overstay fee to be charged from these Afghan nationals when they are leaving the country permanently.
20. The State Government/UT Administration/FRRO/FRO concerned should keep a discreet watch on the activities of the Afghanistan nationals and if anything adverse is found, immediate appropriate action should be taken along with 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.
21. The provisions in the Visa Manual relating to registration/exit permission applicable to foreign nationals and instructions issued in this regard from time to time, shall also be applicable to Afghanistan nationals other than the categories mentioned in Para 6 above.
22. The above mentioned policy guidelines may be reviewed/amended by the Ministry of Home Affairs as deemed necessary.
23. The above will come in force with immediate effect.

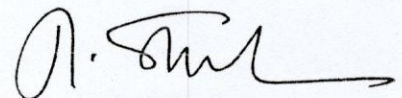
Yours faithfully,


**(Ravi Sunder)****Deputy Secretary to the Govt. of India**

Copy forwarded to:

1. Ministry of External Affairs [Shri Upender Singh Rawat, Joint Secretary (CPV)]- with the request to circulate these instructions to all Indian Missions/Posts.
2. Ministry of External Affairs [Shri Deepak Mittal, Joint Secretary (PAI)]
3. Joint Director, Bureau of Immigration [Shri P.K. Bhardwaj]- with the request to circulate these instructions to all FRROs/FROs
4. Shri Anshul Sharma, Director, R&AW, Cab. Sectt., CGO Complex, Lodhi Road, New Delhi.
5. Joint Director (Pak), IB
6. Joint Secretary (AAG), Cabinet Secretariat
7. DDG, NIC [Shri G.K. Gaur] - with the request to place these instructions in online Notice Board.
8. JS(F)/ Director (I)/DS(C)/Director(FCRA&MU)/Director(P)/Consultant(F)
9. All Sections of Foreigners Division.

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**(Ravi Sunder)****Deputy Secretary to the Government of India**



**Procedure for submission and processing of Stay Visa/ Residential Permit application**

- (1) Afghanistan nationals requesting for 'Stay Visa/ Residential Permit' shall apply online on <https://indianfrro.gov.in>. The applicant shall be required to upload photograph and all documents and submit the application online.
- (2) After submission of the application online, the applicant will be allotted a date for bringing the original documents for verification by the FRRO/ FRO concerned. Biometrics of the Afghan national will be captured if not already done by the Mission.
- (3) The FRRO/FRO concerned will carefully scrutinize all the documents including UNHCR card, hold interview, conduct local enquiries and ensure that the applicant's nationality as an Afghan is substantiated. Details of the reasons for leaving the originating country and the manner in which he/she has entered India would be elicited by the FRRO/FRO. One of the factors to be seen is the general perceived condition in Afghanistan of the people belonging to the community of the Afghan national in question. In case it is found that prima facie the claim is justified (on the grounds of a well-founded fear of persecution on account of race, religion, sex, nationality, ethnic identity, membership of a particular social group or political opinion), the FRRO/ FRO concerned will upload the application along with comments/recommendations on the C-FRO Module.
- (4) The FRRO/FRO will intimate online to the applicant about the completion of verification.
- (5) Home Department of the State Government/UT Administration concerned/ IB/Ministry of Home Affairs (Foreigners Division) will have access to the application simultaneously as soon as it is uploaded online by the FRRO/ FRO.
- (6) All agencies shall conduct enquiries, verification of the applicant including security vetting and upload their recommendations online on the C-FRO module. The whole process of investigation and uploading of the comments/recommendations by all agencies should be completed within 45 days of uploading of the application online by the FRRO/FRO concerned.
- (7) Ministry of Home Affairs will take a decision on the Stay Visa/Residential Permit application based on the recommendations of all the agencies within 10 days of uploading of the comments/recommendations. The decision of MHA shall be uploaded online.
- (8) Based on the decision of the Ministry of Home Affairs, FRRO/ FRO concerned shall grant/reject Stay Visa/ Residential Permit and make suitable endorsement on the Passport/Residential Permit of the Afghanistan national within 10 days of uploading of the decision by the Ministry of Home Affairs.



**Extension of Stay Visa/ Residential Permit**

- (1) Applications for subsequent extensions of Stay Visa/ Residential Permit will be submitted online by the applicant to the FRRO/FRO concerned on <https://indianfrro.gov.in>.
- (2) In respect of applications received by the FRRO, comments/ recommendations will be referred to the Ministry of Home Affairs directly online on the C-FRO module after careful scrutiny of the application and field verification about the conduct of the Afghan national.
- (3) In respect of applications received by the FRO, comments/ recommendations will be referred online by the FRO concerned to the Home Department of the State Government/UT Administration concerned after careful scrutiny of the application and field verification about the conduct of the Afghan national. Such cases will thereafter be scrutinized carefully by the State Government/UT Administration concerned and they shall upload their comments/recommendations online and forward the application to the Ministry of Home Affairs.
- (4) Ministry of Home Affairs will take a decision on the Stay Visa/Residential Permit extension based on the recommendations of the Agencies concerned within 10 days of receiving comments/ recommendations. The decision of MHA will be uploaded online.
- (5) Based on the decision of Ministry of Home Affairs, FRRO/FRO concerned shall extend/reject Stay Visa/Residential Permit and make suitable endorsement on the Passport/Residential Permit of the Afghanistan national within 10 days of uploading of the final decision by the Ministry of Home Affairs.

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**Procedure for submission and processing of Long Term Visa (LTV) application**

- (1) Afghanistan nationals eligible for grant of LTV shall apply online on <https://indianfrro.gov.in>. The applicants are required to upload photograph and all documents and submit the application.
- (2) After submission of the application online, the applicant will be allotted a date for bringing the original documents for verification by the FRRO/ FRO concerned. The FRRO/ FRO will verify the documents and ensure that the application is complete in all respects.
- (3) Home Department of the State Government/UT Administration concerned/ IB/Ministry of Home Affairs (Foreigners Division) will have access to the application simultaneously as soon as it is uploaded online by the FRRO/FRO on C-FRO module.
- (4) All agencies shall conduct enquiries, verification of the applicant including security, vetting and upload their recommendations online on the C-FRO module. Enquiries may be made by the FRRO/FRO concerned to ascertain whether applicant has any close relatives/ associates staying in Pakistan or has earlier stayed there. The whole process should be completed within 45 days of uploading of the application online by the FRRO/FRO.
- (5) Ministry of Home Affairs will take a decision on the LTV application based on the recommendations of the FRRO/FRO, State Govt./UT Admn. and IB within 10 days of receiving comments of all the agencies. The decision of MHA will be uploaded on the C-FRO Module.
- (6) Based on the decision of the Ministry of Home Affairs, FRRO/FRO concerned shall grant/reject LTV and make suitable endorsement on the Passport/Residential Permit of the Afghanistan national within 10 days of uploading of the decision by the Ministry of Home Affairs.

**Extension of LTV**

- (1) Applications for subsequent extension of LTV beyond five years will be submitted online by the applicant to the FRRO/FRO concerned on <https://indianfrro.gov.in>.
- (2) In respect of applications received by the FRRO, extension will be granted by the FRRO concerned on two-year basis in respect of categories mentioned in (i), (ii) and (iii) in para 6 of the letter after careful scrutiny of the application and field verification about the conduct of the Afghan national. In respect of category (iv) mentioned in para 6 of the letter, the application will be forwarded by the FRRO



concerned to the Ministry of Home Affairs on the C-FRO module with their comments/ recommendations and extension of LTV in such cases will be granted only with the prior approval of the Ministry of Home Affairs. In case of any adverse report, the matter should immediately be referred to the Ministry of Home Affairs online on the C-FRO module for taking a suitable decision.

- (3) In respect of applications received by FRO, the application for LTV extension will be forwarded by the FRO concerned on the C-FRO module to the Home Department of the State Government/UT Administration concerned after careful scrutiny of the application and field verification about the conduct of the Afghan national along with recommendations. Extension of LTV in respect of categories (i), (ii) and (iii) mentioned in para 6 of the letter will be granted by the State Government/UT Administration concerned on two-year basis. In respect of category (iv) mentioned in para 6 of the letter, the application will be forwarded by the State Government/UT Administration concerned to the Ministry of Home Affairs on C-FRO module with their comments/recommendations and extension of LTV in such cases will be granted by the FRO concerned only with the prior approval of the Ministry of Home Affairs. In case of any adverse report, the matter should immediately be referred to the Ministry of Home Affairs online on the C-FRO system for taking a suitable decision.

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