



Overseas Citizenship of India Scheme

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Why in News?

The **Indian government** has **cancelled** the [Overseas Citizen of India \(OCI\)](#) registration of a **British academic**, citing her involvement in **anti-India activities** through her **writings, speeches,** and **journalistic work** at **international forums**.

What is the Overseas Citizenship of India Scheme?

About

- The **OCI scheme** was introduced through an **amendment** to the [Citizenship Act, 1955](#) in the year **2005**, that allows **foreign citizens of Indian origin** to **live, work,** and **travel freely** in India **without dual citizenship**.
 - In **2015**, the [Persons of Indian Origin \(PIOs\)](#) and **OCI categories** were merged to **streamline** documentation and benefits.
 - As of **31st January, 2022**, **40.68 lakh OCI cards** had been issued.

Eligibility

- **Eligibility:** Foreign nationals (except **Pakistan and Bangladesh**) who:
 - Were **citizens of India** on or after **26th January, 1950**.
 - Were **eligible to become Indian citizens** on **26th January, 1950**.
 - Belonging to a territory that became part of India after **15th August, 1947**.
 - Are **children, grandchildren, or great-grandchildren** of such persons
 - **Minor children** of such individuals or those with one Indian parent.
 - **Spousal Eligibility:** A **foreign-origin spouse** of an Indian citizen or an existing OCI cardholder is **eligible** if the **marriage** has been **registered** and has subsisted for **at least two years** preceding the application.
 - **Ineligible Categories:** Individuals who are currently **serving or retired** from **foreign military services** are **not entitled** to receive OCI status.

Benefits

- **Visa Privileges:** Entitled to a multiple-entry, multi-purpose lifelong visa for visiting India without the need for repeated applications.
- **Parity with NRIs:** Enjoys **parity with [Non-Resident Indians \(NRIs\)](#)** in various **financial, economic,** and **educational** fields, but **cannot acquire agricultural/plantation land** in India or adopt **Indian children internationally**.
- **Pathway to Citizenship:** Eligible for **Indian citizenship** under **Section 5(1)(g)** of the **Citizenship Act, 1955** after **5 years as an OCI cardholder**, with at least **1 year of residence in India** during the last 5 years.
- **Pension Scheme Access:** Eligible to join the [National Pension System \(NPS\)](#) on equal terms with **NRIs** for long-term retirement planning.

Limitations and Restrictions of OCI Cardholders

- **No Dual Citizenship:** OCI should **not be interpreted** as **dual citizenship**, as **India does not permit dual nationality** under its legal framework.
- **Political Rights:** OCI cardholders are **not entitled to voting rights** in Indian elections.
 - OCI holders are **barred from holding constitutional posts** such as **President (Art. 58)**, **Vice-President (Art. 66)**, **Supreme Court Judge (Art. 124)**, and **High Court Judge (Art. 217)**.
- **Legislative Ineligibility:** OCIs are **not eligible** to become members of the **Lok Sabha, Rajya Sabha, or State Legislatures**.
- **Public Employment Restrictions:** Under **Article 16 (equality of opportunity in public employment)**, **OCI cardholders** cannot hold **regular government jobs**, except where **specifically permitted** by the **Central Government** via special notifications.
- **Activity-Based Restrictions:** **Special permission** is mandatory for **research, mountaineering, missionary/journalistic work**, and travel to **Protected or Restricted Areas**.

Cancellations

- Cancellations are governed by **Section 7D of the Citizenship Act, 1955**.
 - Grounds for **cancellation** include **fraud or misrepresentation in application**, **anti-India acts**, and **violations** of conditions under the **Citizenship Act, 1955**.

Person of Indian Origin (PIO)

- A **Person of Indian Origin (PIO)** is a **foreign citizen** (excluding nationals of **Pakistan, Afghanistan, Bangladesh, China, Iran, Bhutan, Sri Lanka, and Nepal**) who:
 - once held an **Indian passport**
 - has **ancestry** (parents/grandparents/great-grandparents) born and permanently residing in **India** as defined in **Government of India Act, 1935** and other territories that became part of India thereafter or,
 - is a **spouse** of an **Indian citizen** or **PIO**.

A PERSON OF INDIAN ORIGIN (PIO)	PIO VS OCI	OVERSEAS CITIZEN OF INDIA (OCI)
➤ Means a foreign citizen (except a national of Pakistan, Afghanistan, Bangladesh, China, Iran, Bhutan, Sri Lanka and Nepal) ➤ A foreign citizen whose one of the parents/grandparents/ great grandparents was born and a permanent resident of India ➤ Who is a spouse of a citizen of India or a PIO		A foreign national, who was eligible to become citizen of India on 26.01.1950 or was a citizen of India on or at anytime after 26.01.1950 or belonged to a territory that became part of India after 15.08.1947 is eligible for registration as Overseas Citizen of India (OCI). Minor children of such person are also eligible for OCI. However, if the applicant had ever been a citizen of Pakistan or Bangladesh, he/she will not be eligible for OCI.
BENEFITS 1. PIO card holders do not require a visa to visit India for a period of 15 years from the date of issue of the PIO card. 2. They are exempted from registration at FRRO/ FRO if their stay does not exceeds 180 days. In case if the stay exceeds 180 days, they shall have to register with FRRO/ FRO within the next 30 days 3. They enjoy parity with NRIs in economic, financial and educational benefits 4. All future benefits that would be exempted to NRIs would also be available to the PIO card holders		BENEFITS OCIs are entitled to a multipurpose, multiple entry, lifelong visa allowing them to visit India at any time, for any length of time and for any purpose ➤ Exempted from police reporting for any length of stay in the country ➤ Have also been granted all rights in the economic, financial and education fields in parity with NRIs except, the right to acquisition of agricultural or plantation properties

UPSC Civil Services Examination, Previous Year Question (PYQ)

Prelims

Q. With reference to India, consider the following statements: (2021)

1. There is only one citizenship and one domicile.
2. A citizen by birth only can become the Head of State.
3. A foreigner once granted citizenship cannot be deprived of it under any circumstances.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) 1 and 3
- (d) 2 and 3

Ans: (a)

PDF Reference URL: <https://www.drishtiias.com/printpdf/overseas-citizenship-of-india-scheme>

