



# GMS Flash Alert

## Immigration Edition

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# India – COVID-19: Update to Visa Extension Rules, Travel Restrictions

This GMS *Flash Alert* reports on some of the recent changes to India's travel and border-crossing rules that had been tightened due to the COVID-19 pandemic.

The government of India (GOI) has regularly issued travel advisories and Frequently Asked Questions (FAQs) relating to visas and travel across India's borders due to the COVID-19 pandemic.<sup>1</sup> With the recent announcement of a further extension of the lockdown in India, GOI has made a few changes to the travel rules.

Furthermore, there is some relief being provided for visa-holders currently in India whose visa are expiring or soon will expire.

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## WHY THIS MATTERS

The anxieties of those individuals holding visas that have expired or are due to expire should be allayed by the government's move to extend the validity of such visas.

Moreover, through these latest changes, GOI has allowed international movement for persons who have been stranded in India / outside India, subject to fulfillment of conditions provided under Standard Operating Protocols (SOPs). Such persons will also have to comply with the detailed processes set forth under SOPs.

The general travel restrictions in force will continue to impact on employers and their globally-mobile employees between India and countries around the world. Assignments to India and hiring of new personnel from abroad will be significantly delayed due to ongoing travel restrictions and lockdown measures, as well as the spotty access to immigration services due to the temporary closures of offices and suspensions of appointments.

Awareness of developments, which are unfolding rapidly, is vital to help minimise disruptions to operations and to manage associated risks and costs.

Until the government decides it is safe to rescind or roll-back current restrictions, including the existing prohibition on international air travel, extensive remote working is a "best practice" for globally-mobile employees, to the extent

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possible, and is a way for employers to foster the safety of their employees and help ensure business continuity.

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## Extension of Visas of Stranded Foreign Nationals in India

All foreign nationals who are stranded in India and whose visas have expired or will be expiring during the period from 01.02.2020 (midnight) until the date on which the existing prohibitions on international air travel of passengers from India is lifted by the GOI, will have their visas extended for a period up to 30 days from the date of lifting of such prohibitions without any cost, after the foreign national has made an online application (the overstay penalty will not be applied).

## SOPs for Movement of Persons Stranded in India

Only the following persons will be allowed to travel to the destination countries:

- Citizens of that country;
- Holders of visas of at least one year duration of that destination country; and
- Green card or OCI holders.

SOPs cover movements of Indian nationals only in the case of medical emergency or death in the family. Such persons will apply to the Ministry of Civil Aviation (MoCA) or to any agency designated by MoCA for this purpose.

The cost of travel will be borne by the travellers.

## SOPs for Movement of Indian Nationals Stranded outside the Country

Such persons will register themselves with the Indian Missions in the countries where they are stranded.

Priority will be given to compelling cases in distress, including migrant workers/labourers who have been laid off, short-term visa holders faced with expiry of visas, persons with medical emergency/pregnant women/elderly, those required to return to India due to the death of a family member, and students.

The cost of travel will be borne by the travellers.

## Other Points

The visa-free travel facility granted to OCI card holders has been kept in abeyance until the prohibitions on international travel of passengers from/to India have been lifted.

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## KPMG NOTE

It has been the aim of the GOI to curb the spread of COVID-19.

It is suggested that foreign nationals as well as Indian nationals refer to GOI advisories before planning any international travel and if they have any questions or concerns, they should consult before making any decisions with their global mobility advisers, travel agents, and immigration counsel.

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## FOOTNOTE:

1 For details, please refer to: <https://boi.gov.in/content/advisory-travel-and-visa-restrictions-related-covid-19-0#> .

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## RELATED RESOURCE:

This article is excerpted, with permission, from “COVID 19 Relaxation on Travel” in *Tax Flash News* (11 May 2020), a publication of the KPMG International member firm in India.

## Contact us

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*\* Please note that KPMG LLP (U.S.) does not provide any immigration services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

**The information contained in this newsletter was submitted by the KPMG International member firm in India.**

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