

(As on 29th May , 2014)

BUSINESS VISA

I. Purpose for which Business Visa is granted

A Business visa ('B' visa) is granted to a foreigner for the following purposes:-

- (1) Foreign nationals who wish to visit India to establish an industrial/business venture or to explore possibilities to set up an industrial/business venture in India.
- (2) Foreign nationals coming to India to purchase/sell industrial products or commercial products or consumer durables.
- (3) Foreign nationals coming to India for technical meetings/discussions, attending Board meetings or general meetings for providing business services support.
- (4) Foreign nationals coming to India for recruitment of manpower.
- (5) Foreign nationals who are partners in the business and/or functioning as Directors of the company.
- (6) Foreign nationals coming to India for consultations regarding exhibitions or for participation in exhibitions, trade fairs, business fairs etc.
- (7) Foreign buyers who come to transact business with suppliers/ potential suppliers at locations in India, to evaluate or monitor quality, give specifications, place orders, negotiate further supplies etc., relating to goods or services procured from India.
- (8) Foreign experts/specialists on a visit of short duration in connection with an ongoing project with the objective of monitoring the progress of the work, conducting meetings with Indian customers and/or to provide technical guidance.
- (9) Foreign nationals coming to India for pre-sales or post-sales activity not amounting to actual execution of any contract or project.

- (10) Foreign trainees of multinational companies/corporate houses coming for in-house training in the regional hubs of the concerned company located in India.
- (11) Foreign students sponsored by AIESEC for internship on project based work in companies/industries.
- (12) Foreign nationals coming as tour conductors and travel agents and / or conducting business tours of foreigners or business relating to it, etc.

II. Conditions to be fulfilled for grant of Business Visa

- (1) The foreign national must have a valid travel document and a re-entry permit, if required under the law of the country of nationality of the applicant.
- (2) The foreign national should be a person of assured financial standing (sufficient proof of his financial standing and expertise in the field of intended business will be checked thoroughly by Indian Missions while granting the visa).
- (3) The foreign national should not be visiting India for the business of money lending or for running a petty business or petty trade or for full time employment in India, etc.
- (4) The foreign national shall comply with all other requirements like payment of tax liabilities etc.
- (5) The documents/ papers pertaining to the proposed business activity such as the registration of the company under the Companies Act, proof of registration of the firm with the State Industries Department or the Export Promotion Council concerned or any recognized promotional body in the relevant field of industry or trade etc. will be thoroughly checked to decide the category of visa applicable to the foreigner.
- (6) The grant of Business visa is subject to any instructions issued by the Government of India on the basis of reciprocity with other foreign countries from time to time.

III. Issue of Business Visa

The Business Visa will be issued from the country of origin or from the country of habitual domicile of the foreigner provided the period of residence of that foreigner in that particular country is for more than 2 years. If the period of permanent residence of the applicant in the particular country is less than two years, the Mission / Post concerned may issue Business visa only after a personal interview, review of documentation and prior clearance from the Mission where the applicant has permanent residence. Such cases would be examined by the Missions / Posts on merits on a case-to-case basis and, after issue of Business visa, intimation should be sent to the Indian Mission / Post in the applicant's country of origin.

IV. Duration of Business Visa

- (1) A Business Visa with multiple entry facility can be granted for a period up to five (5) years or for a shorter duration as per the requirement. A stay stipulation of a maximum period of six (6) months may be prescribed for each visit by the Indian Mission concerned keeping in view the nature of the business activity for which such Business Visa is granted.
- (2) In case a stay stipulation of maximum 6 months is prescribed for each visit, a clear endorsement would be made stating **"each stay not to exceed 6 months (or the duration of stay stipulation) and registration not required"**. In case no such stay stipulation is being prescribed, a simple endorsement stating **"registration within 14 days"** would be made.
- (3) In the case of citizens of USA, Business Visa with 10 years validity and multiple entry facility may be granted with the stipulation that the stay in India during each visit shall not exceed six (6) months.
- (4) In case Business visa is granted for a period less than five years by the Indian Missions, the same can be extended up to a maximum period of five years subject to the following:
 - (a) The gross sales/turnover from the business activities, for which the foreigner has been granted visa, is not less than Rs.1 crore per annum (to be achieved within 2 years of setting up the business or date of initial grant of B visa, whichever is earlier) (This condition would be applicable in case of Business Visa granted to foreign nationals to establish an industrial/ business venture in India).
 - (b) Extension of Business Visa may be granted by the FRROs/FROs concerned on year-to-year basis subject to good conduct, production of necessary documents in support of continued

business activity and no adverse inputs, security related or otherwise, about the foreigner.

- (c) The period of extension shall not be beyond five years from the date of issue of the Business visa.
- (d) If the extension of Visa is denied by FRRO/ FRO, the foreigner shall leave India forthwith on expiry of the period of validity of the visa.

V. Documents to be submitted

- (1) A valid travel document and a re-entry permit, if required under the law of the country concerned.
- (2) Proof of financial standing and expertise in the field of intended business
- (3) Documents/ papers pertaining to the proposed business activity such as the registration of the company under the Companies Act, proof of registration of the firm with the State Industries Department or the Export Promotion Council concerned or any recognized promotional body in the relevant field of industry or trade etc.

VI. Visa to family members of a foreigner granted Business visa

Family members/dependants of a foreigner who is granted 'B' visa may be granted 'X' visa. Its validity would be co-terminus with the validity of the visa of the principal visa holder or for such shorter period as may be considered necessary by the Indian Mission. Such family members may also be granted Student/ Research Visa, etc subject to usual security checks provided they are otherwise eligible for grant of such a visa.

VII. Conversion of Business Visa into other types of visas

Business visa shall be non-convertible and non-extendable beyond 5 years from the date of issue. At the time of issue of Business visa, Indian Missions/Posts must make it clear to the foreigner that a Business visa cannot be converted to any other kind of visa during his/her stay in India except in the following circumstances by the FRRO/ FRO concerned:-

- (1) Business visa may be converted to 'X'(Entry) Visa if a foreigner who has come to India on Business visa marries an Indian national during the validity of his/her visa and does not intend to continue on Business Visa. Such conversion would be considered subject to fulfillment of following conditions:

- (a) submission of a copy of the registered Marriage Certificate; and
 - (b) report about their marital status which will, inter-alia, include his/her antecedents, confirmation about their living together and security clearance.
- (2) Business visa in case of Persons of Indian Origin, who were otherwise entitled for 'X' (Entry) Visa but have entered into India on Business visa, may also be converted to 'X' Visa subject to verification of PIO status.
- (3) Business visa of the foreigners who fall ill after their entry into India rendering them unfit to travel and require specialized medical treatment may be converted to Medical visa if they are eligible for grant of Medical Visa and a medical certificate is obtained from a government / ICMR recognized hospital. In such case, 'X' visa of family members/ attendant accompanying the foreigner (whose 'Business' visa is converted into Medical Visa) may also be converted into Medical Attendant [Med X] visa co-terminus with the Medical visa of the foreigner.

Note : On conversion of Business visa into 'X' visa / Medical visa/ 'Med X' visa, the following endorsement shall be made on the Passport / Residential Permit 'Employment/Business not permitted'."

VIII. Grant of Business Visa to Chinese nationals

- (A) Business visa may be granted to Chinese nationals subject to the fulfillment of the conditions laid down (as explained above) under the following three broad categories:
- (a) Missions/Posts abroad may grant 6 months multiple entry B-visa to Chinese nationals who can produce a letter of invitation from a 'Recognized Indian Organization' with the stipulation that the period of stay shall be less than 90 days on each visit.

 'Recognized Indian Organization', referred to above means recognized chambers of commerce or industry associations or other trade bodies, public sector undertakings, government approved joint ventures, liaison offices or private sector companies who are members of a recognized chamber of commerce or industry association or other trade body.
 - (b) The Missions/Posts abroad may grant 60 days single entry visa to Chinese nationals who cannot produce any invitation letter from a recognized Indian organization but produces a letter of request from a duly authorized Chinese organization.

'Duly authorized Chinese Organization' referred to above means Ministries and Commissions of State Council, the Governments of all Provinces, Autonomous Regions and Municipalities directly under the Central Government, and Foreign Offices & Bureaus of Economy and Commerce thereunder and departments and units recognized by the Department of Consular Affairs of the Ministry of Foreign Affairs of the People's Republic of China.

(c) The Head of Mission/Head of Post may approve issuance of short term single entry B-visa to Chinese nationals not exceeding 60 days, who cannot produce any documentary proof referred at (a) and (b) above provided the Head of Mission/Head of Post or any officer of the Mission/Post designated by the Head of Mission/Head of Post satisfies himself that the intention of the visit of the Chinese national is for genuine business related activities.

(B) Business visa of Chinese nationals may be extended only by Ministry of Home Affairs as follows:

(i) Ministry of Home Affairs may, depending on a case-to-case basis and on merits, extend the 180 days B-visa up to one year with multiple entry visa facility, on a recommendation of the 'Recognized Indian Organization' and on being satisfied about the genuine and bonafide business activities.

(ii) Ministry of Home Affairs may, depending on a case-to-case basis and on merits, extend 60 days B-visa up to 180 days with multiple entry visa facility, on a recommendation from the 'Recognized Indian Organization' and on being satisfied about the genuine and bonafide business activities.

IX. Specific provisions relating to the grant of Business Visa and Temporary Visitor's visa to Japanese nationals

(1) Multiple entry business visa valid up to six months with the period of stay up to one hundred eighty consecutive days may be issued to the nationals of Japan who travel to India on a temporary visit to establish industrial/business venture or to explore possibilities of setting up industrial/business venture or for purchase / sale of industrial products, or for purpose of trade and other short term business related activities (not employment).

- (2) A multiple entry business visa valid for up to 5 years may be issued to the Japanese businessmen who travel on a temporary visit for business purposes, on receipt of a letter of request from a duly recognized company or employer of the country or on a request from recognized chambers of commerce and industry and business organizations of the country, such as, Confederation of Indian Industries (CII) or Federation of Indian Chambers of Commerce and Industry (FICCI) or National Association of Software Services Companies (NASSCOM) or Associated Chambers of Commerce and Industry in India (ASSOCHAM) and government recognized business and trade promotion councils in India and NIPPON KEIDANREN in Japan. The stay in India during each visit shall not exceed 180 consecutive days.
- (3) Conversion of business visas to employment visas in India will not be permitted and the applicant will have to return to his/her country of nationality and apply to the Embassy or Consulate of India.

Frequently Asked Questions

Q.1 Can foreign nationals coming to execute projects in India be granted Business Visas?

Ans.: No. A foreign national coming for executing projects / contracts will have to come only on an Employment Visa or a Project Visa (if engaged in executing project/contract in Power or Steel Sector).

Q.2 Can foreign nationals already in India on Business Visas be allowed to convert their Business Visas to Employment Visa/ Project Visa without leaving the country?

Ans.: No.
