

Frequently Asked Questions on Project Visa

Q.1 : What is a Project Visa and whether Project Visa guidelines will cover projects in all sectors?

Ans: Within the Employment Visa regime, a separate visa regime for foreign nationals coming to India for execution of projects in power and steel sectors, to be labelled as **Project ('P') visa** has been introduced. The Project Visa will cover only the Power and Steel sectors initially.

Q.2 : What are the conditions to be fulfilled for grant of Project Visa?

Ans.: Grant of Project Visa will be subject to the following conditions:-

- (1) The Visa would be project specific and, while issuing the visa, a specific endorsement would be made on the Visa sticker indicating the name of the project for which visa is issued and location of the project. In no circumstances would the person be allowed to be engaged in another project either of the same company or of a different company.
- (2) The period of visa would be determined by the Indian Missions/Posts carefully in each case taking into account the actual duration of the project/contract. The period of visa would be initially for a period of one year or for the actual duration of the project / contract, whichever is less, with multi-entry facility. The visa can be extended only with the approval of the Ministry of Home Affairs.
- (3) The employment/working of the foreign personnel would be restricted to the location of the project.
- (4) The Project visa would be issued based on submission of the relevant documents clearly establishing that the project/contract has been assigned to the particular foreign company by the Indian company/organization concerned.
- (5) The Project Visa would be issued only for skilled/highly skilled persons. The Project visa will not be issued for unskilled/semi-skilled workers. However, the Missions/Posts may grant visa for not more than two(2) chefs and two(2) interpreters.

- (6) A person coming on Project Visa will not be allowed to take up employment in the same Indian company for a period of two years from the date of commissioning of the project. In case the person has to come for attending to any emergent maintenance/commissioning issues, he/she can be granted a non-extendable Business Visa.
- (7) The Indian Company engaging the foreign national for executing the project / contract would be responsible for the conduct of the foreign national during his/her stay in India and also for the departure of such foreign national upon expiry of visa.
- (8) In case the project/contract site falls in the Protected/Restricted Area notified by the Government, the grant of Protected/Restricted Area Permit should be integrated with the grant of Project Visa. In all such cases, prior clearance of the Ministry of Home Affairs shall be obtained by the Indian Missions/Posts concerned for issue of Protected/Restricted Area Permit and for grant of visa. The details of the foreign personnel must be furnished to the Ministry of Home Affairs (Foreigners Division) and to the State Government concerned well in advance in electronic mode so that advance action can be taken for obtaining the requisite security clearance.
- (9) The foreigner coming on Project Visa will have to register himself/herself with the FRRO/FRO concerned within 14 days of arrival if the validity of visa is for more than 180 days. If the validity of visa is for a period of 180 days or less, registration would not be required.
- (10) A biometric-based identification of the foreign personnel coming for executing projects/contracts will be introduced (at appropriate stage).

Q.3 : Are there any ceiling on the maximum number of Project Visas allowed for each project?

Ans.: Yes. Sector specific ceilings on the maximum number of Project Visas allowed for each project in Power and Steel sectors are given below:-

Power

- (i) A block of two units may be considered as one project.
- (ii) Where main plant equipment Boiler Turbine Generator (BTG) and its sub-systems are sourced from foreign Original Equipment Manufacturer (OEM), the maximum number of foreign personnel allowed may vary from 50 to 70.
- (iii) For an Engineering, Procurement and Construction (EPC) project, where main plant and equipment, its sub-systems and full or part of the Balance of Plant (BOP) is sourced from foreign OEM, the maximum number of foreign personnel allowed may vary from 76 to 125. This would be for an EPC project consisting of two units of 660 MW and above with supercritical technology.
- (iv) In case, the number of units is more than two in a project, the maximum number of foreign personnel allowed would be as indicated below:-

Additional unit (admissible to additional units resulting in project size exceeding 600 MW capacity)	Where main plant equipment (BTG) and its sub-systems are sourced from foreign OEM	EPC project where main plant and equipment, its sub-systems and full or part of the Balance of Plant (BOP) is sourced from foreign OEM
1 st additional Unit	105	187
2 nd additional Unit	122	219
3 rd additional Unit	140	250
4 th additional Unit	157	281

(Note: To qualify as a separate project for additional units at the same location, a gap of minimum one year in the date of award of contract shall be considered between two such projects)

- (v) Wherever, for a project, Flue Gas Desulphurization System (FGD) is also sourced from a foreign supplier, an additional number of 25 foreign personnel is recommended. For a project with larger numbers of units (more than two), the additional number of foreign personnel would be as follows:

1st additional unit - 37
2nd additional unit- 44
3rd additional unit- 50
4th additional unit- 56

Steel

- (i) In case of green field projects – 10% of the total skilled manpower deployed per million tonne capacity or 300 persons, whichever is lower.
- (ii) For Brownfield projects – 5% of the total skilled manpower deployed per million tonne capacity or 150 persons, whichever is lower.
- (iii) The total manpower requirements of the project should be determined at the stage of conceptualization of the project by the sponsoring authority with a flow chart.
- (iv) Foreign manpower requirement beyond the above limits may be examined by a Standing Committee having members from Ministries concerned.
- (v) For the purpose of determining the capacity of the unit, it should be the approved capacity as certified by the Ministry concerned of the Government of India in respect of PSUs. In respect of Private sector Steel units, the basis of capacity may be as per the financial disclosure statement of a Scheduled Bank or RBI-approved Non Banking Financial Company (NBFC) duly authenticated and certified.
- (vi) For ongoing projects with contractual obligation, deployment of foreign personnel may exceed the guidelines based on examination by the Ministry of Labour & Employment on the merits of each case.

The Indian Missions can issue Project Visas up to the ceiling mentioned above without any reference to the Ministry of Labour &

Employment. In exceptional cases, where there is a requirement of additional persons to execute a project / contract, the Indian Missions shall refer such cases to Ministry of Labour & Employment for clearance alongwith sufficient justification.

Q.4 Is there any specific application form for Project Visa ?

Ans.: Yes. A separate application form for Project Visa has been devised . Copy of the application form is annexed.

APPLICATION FOR PROJECT VISA

(The applicant should fill the form with care to ensure that accurate information is provided)

Note: Full particulars must be given. Failure to state fully and in detail the reasons for journey will result in delay or refusal of a visa. General expressions such as "visit", "business" etc., are not sufficient. If on behalf of a firm, the name, nationality and address of firm should be stated.

Photo
4cm x 3.5cm

1 Name: _____(Surname) _____(Middle Name) _____

2. Date & Place of birth (Village/Town; District; Province; Country with zip code)

3. Profession/Occupation _____

Position/Job Title _____

Name of Employer _____

Business Registration No. _____

Registered Address (with zip code) _____

Telephone Number _____

3A. Educational Qualification

Post Graduate _____

Graduate _____

Diploma/Polytechnic _____

(Note: Please tick-mark as appropriate. A copy of the certificate of education in English or with English translation shall be annexed.)

4. Residential postal address (should include – House No., Street,

- Letter from the Indian company awarding the contract to the foreign company specifying the following details:
 - a) Name of the foreign company
 - b) Registered address of the foreign company
 - c) Name of the project awarded as per the tender document
 - d) Location of the project in India (village/town/district/state)
- e) Duration of the contract (number of days)
- f) Total number of foreign workers likely to be sent by the foreign company – category wise (i) highly skilled (ii) skilled- technicians with diploma/polytechnic degree; and (iii) skilled workers with school level education
- Letter from the Indian company addressed to the Indian Mission explicitly stating that it guarantees the conduct of the foreign company and the foreign personnel involved in the execution of the project/contract. This letter should also explicitly states that it would be responsible to ensure that the applicant (name of the applicant, passport no. and date of birth shall be mentioned) will abide by Indian rules and regulations. The letter should also state that the company will be liable to ensure departure of the applicant from India upon expiry of visa.
- Letter from the Foreign employer providing brief description of the nature of its project in India and a brief description of the job which the applicant is required to perform in India.

7. Place of intended entry into/exit from India

8. Details of Passport(s) held:

Passport Number _____

Category _____

Issued by _____

Place of Issue _____

Date of Issue _____

9. Has permission to visit or to extend stay in India previously been refused, if so when and by whom

10. Details of last visit to India

Date and Place from where visa issued _____

Valid from _____ till _____

11. I, hereby declare that all the statements and information given by me in this application are true to the best of my knowledge and belief. I also declare that I have not submitted any application for visa to visit India under any other name, and that the passport held by me at present as indicated in column 8 is the only passport that I hold. I also undertake not to use the visa given to me to work on any other project or for any other purpose other than for which it has been granted. I realize that should any of the above statements be found to be false, untrue or incorrect, my visa will be liable to cancellation by the competent authority and I will be liable to such other penalties as may be prescribed.

Date _____

Place _____

Signature of applicant

1. Application form is to be filled in triplicate by each applicant.
2. Three recent passport size photographs to be attached with application in addition to one photograph pasted on the form.
3. All columns should be filled giving complete and detailed information. Incorrectly filled or incomplete forms will be rejected.
4. If information furnished is found to be incorrect or misleading, visa is likely to be refused or cancelled.