

COMPENDIUM OF INSTRUCTIONS/ GUIDELINES RELATING TO ISSUE OF PASSPORTS IN INDIA/ABROAD

(Updated upto 31st May, 2020)

Disclaimer : This compendium consists of guidelines for Passport Issuing Authorities framed under the Passports Act, 1967 and rules made thereunder, and are not exhaustive in nature. The decision of the competent authority will be final.

CHAPTER - 1

EVOLUTION OF PASSPORTS IN INDIA

1. Defence of India Act, 1915
2. The Indian Passport Act, 1920
3. Passport Regulations after Independence
4. Enactment of the Passports Act, 1967
5. Origin of Passport Manual
6. Central Passport Organisation (CPO)
7. Passport Seva Project (PSP)

1. DEFENCE OF INDIA ACT, 1915

1.1. There was no practice of issuing Indian passports before the First World War. During the war, the Government of India enacted the Defence of India Act in 1915 and promulgated rules thereunder, which mandated possession of a passport compulsory for exit from and entry into India.

1.2. The Act expired six months after the end of the war. It was, however, desired that the Government of India should retain power to continue that system in whole or in part for purpose of bringing the Indian practice in line with that of other dominions of the British Empire and of other countries.

2. THE INDIAN PASSPORT ACT, 1920

2.1. The Government of India, therefore, enacted the Indian Passport Act, 1920 which substantially retained the provisions of the Defence of India Act. The 1920 Act was renamed as "The Passport (Entry into India) Act, 1920", after the enactment of the Passports Act, 1967, and is still in operation requiring mandatory possession of passports by persons entering India. This 1920 Act is administered by the Ministry of Home Affairs.

2.2. Though 'Emigration' continued as a Central subject even after the Government of India Act, 1935 was passed, the Central Government delegated to the State Governments the power to issue passports on its behalf. Accordingly, some of the then State Governments, viz., Bombay, Central Province of Berar, Delhi, United Provinces, etc., opened regular passport offices under their Home Departments.

3. PASSPORT REGULATIONS AFTER INDEPENDENCE

3.1. The issue of passports became a Central subject under the Indian Constitution and was allotted to the Ministry of External Affairs under the Transaction of Business Rules. Until 1954, this work was continued to be carried out by the respective State Governments on behalf of this Ministry. It was in 1954 that the first five Regional Passport Offices at Mumbai, Kolkata, Delhi, Chennai

and Nagpur were set up. This necessitated the setting up of a separate organization and the Central Passport and Emigration Organization was created in 1959 as a Subordinate Office of the Ministry of External Affairs. With the enactment of the Emigration Act, 1983, the work relating to 'emigration' was separated and transferred to the Ministry of Labour. The Emigration Act was subsequently being administered by the Ministry of Overseas Indian Affairs which was merged with the Ministry of External Affairs in January 2016.

4. ENACTMENT OF THE PASSPORTS ACT, 1967

4.1. The power to issue passports was earlier being exercised by the Government by virtue of Article 73 read with List I, Item 19 of the Seventh Schedule of the Constitution of India.

4.2. In the case of *Satwant Singh Sawhney vs. Government of India* in 1966, the Supreme Court held that there should be an Act to govern the issue of passports to avoid the element of arbitrariness in passport matters. The Government, therefore, promulgated the Passports Ordinance, 1967 and later replaced it with the present Passports Act, 1967 (15 of 1967), which came into force on 24th June, 1967(**Appendix-2**). This day is now being celebrated by the Ministry as the "Passport Seva Divas" every year when meetings with all Passports Officers are held, performance reviewed and awards given by the External Affairs Minister to top performers.

4.3. The Passports Act was subsequently amended in 1978, 1993 and 2001. Under the Passports Act, 1967, the Central Government has the powers to frame rules. The first such rules called the Passports Rules, 1967 were thus framed the same year. Some of these rules were amended, supplemented and repealed from time to time. The amendments were consolidated and the rules were last issued as the Passports Rules 1980 that have also been amended since then. The Passport application form and the information booklet attached therewith are also part of these rules.

5. ORIGIN OF THE PASSPORT MANUAL

5.1. Till 1966, the issue of passports was regulated through administrative instructions. These instructions were initially codified in the Passport Manual 1949, which was further consolidated in 1959, 1983 and 2001, incorporating instructions issued from time to time. In the initial years, the philosophy regarding issue of passport was that this was considered to be a discretionary matter for the Central Government. This authority was, however, to be discharged without discrimination. The passports were, therefore, issued after the relevant authorities were assured that the security of the State and its good name would be maintained by the passport holders.

6. CENTRAL PASSPORT ORGANISATION (CPO)

6.1. The Central Passport Organisation is a subordinate organisation under the Ministry of External Affairs which renders all passport services in India. The CPO has a sanctioned strength of 2,741 officers and staff as on 31st December, 2019 and is headed by Joint Secretary (Passport Seva Programme) & Chief Passport

Officer, who is also the Appellate Authority under the Passports Act and the Head of Department under the Delegation of Financial Powers Rules (DFPR) 1978.

7. PASSPORT SEVA PROJECT (PSP)

7.1. To augment and improve the delivery of passport services to Indian citizens and to render passport services in a time bound, transparent, modern and comfortable atmosphere, the Ministry of External Affairs (MEA), launched the Passport Seva Programme (PSP) in May 2010 in Public-Private Partnership (PPP) mode with M/s Tata Consultancy Services as the Service Provider which was selected through an open competitive bidding process. It is an ambitious e-governance initiative and is part of the National e-Governance Plan. The PSP has enabled simple, efficient and transparent processes for delivery of passport and related services. Under this program, the sovereign and fiduciary functions like verification, granting and issuing of passports have been retained by MEA. The ownership and strategic control of core assets including data/information are also with MEA. A new set of rules titled "The Passports Application (Facilitation and Processing) Rules, 2010" has been notified to cover the Passport Seva Project structure.

7.2. MEA in association with the Department of Posts (DoP) announced an innovative initiative on 24 January, 2017 to open PSK at the Head Post Offices (HPO)/ Post Offices (PO) in the country called 'Post Office Passport Seva Kendra' (POPSK). The POPSK are functioning like the other existing PSK.

7.3. As on 30 April, 2020, there were 36 Passport Offices and 93 Passport Seva Kendras (PSK) and 424 Post Office Passport Seva Kendras (POPSK) are functioning as extended arms of these Passport Offices in the country.

7.4. The process of integrating the Indian Embassies and Consulates abroad into the PSP commenced in October 2018 and is continuing today. The aim is to provide a centralized passport issuance platform and application for the Indian citizens living abroad and seeking Passport-related services. The Ministry has successfully integrated the passport issuance systems in 59 Missions and Posts till 30 April, 2020.

CHAPTER - 2

PASSPORTS AND TRAVEL DOCUMENTS – ESSENTIALITY, DEFINITION AND CLASSES

1. Possession of a Passport or Travel Document: An Essentiality
2. Exemptions to Possession of a Passport or Travel Document
3. Classes of Passports
4. Classes of Travel Documents
5. Passports for a Named Country
6. Issue of Passports to non-Nationals
7. Delegation of Powers u/s 20 of the Passports Act

1. POSSESSION OF A PASSPORT OR TRAVEL DOCUMENT: ESSENTIALITY

All persons who depart or intend to depart from India are required to be in possession of a valid passport or travel document. The word 'person' includes Indian citizens. The necessity of a travel document or a passport has arisen from International Convention and usage among nations. The term 'passport' or 'travel document' includes Indian documents issued under Passports Act, 1967 and Rules made thereunder. The word 'departure' with grammatical variations and cognate expressions, means departure from India by water, land or air.

2. EXEMPTIONS TO POSSESSION OF A PASSPORT OR TRAVEL DOCUMENT

2.1. The Central Government had been entrusted with the power under Section 21 of the Passports Ordinance, 1967 to grant exemptions from possession of these documents. Such authority now vests with the Central Government u/s 22 of the Passports Act. From time to time, the Central Government has exercised its authority under these clauses. However, this is only an enabling provision and confers no right to anyone. At present, this exemption is made in respect of certain named 'countries' and certain categories of persons, which are as under:-

- a) Indian and Nepalese citizens for their departure from India to Nepal [GSR 715 and 716, dated 15/05/1967]. *Exception: Effective from July 2000, both Indians and Nepalese travelling by air between India and Nepal are required to possess passport;*
- b) Indian and Bhutanese citizens for their departure from India to Bhutan [GSR 719 and 720 dated 15/05/1967];
- c) Indian armed forces personnel departing from India on official duty on Government transport and also members of their families accompanying them in such transport [GSR 1319 dated 30/08/1967]; and,

- d) Members of the Hill Tribes, who are either citizens of India or citizens of Myanmar (formerly Union of Burma) and who are ordinarily resident in any area within 40 kms on either side of the India-Myanmar international frontier, departing from India to Myanmar across the said frontier, subject to certain conditions [GSR 1264 dated 28/06/1968].

2.2. Vide GSR195(E) dated 17th March 2015, possession of valid Indian passports has been made mandatory for Indian citizens who are members of the crew and tindals of sailing vessels for travelling abroad, with effect from 1st June 2015. Government of India has since withdrawn the earlier exemption granted, vide GSR 1812 dated 25th September 1968, to the Indian members of the crew and tindals of sailing vessels to travel abroad on the basis of their identity cards, Continuous Discharge Certificates (CDCs) etc., instead of passports.

3. CLASSES OF PASSPORTS

3.1. The following classes of passports may be issued under the Passports Act, namely:-

- a) Ordinary Passports,
- b) Diplomatic Passports, and
- c) Official Passports.

3.2. The Central Government has prescribed classes of persons to whom the above passports may be issued. These would be discussed in subsequent chapters.

4. CLASSES OF TRAVEL DOCUMENTS

4.1. Under the Passports Act, the Central Government may issue the following classes of travel documents:

- a) Emergency Certificate, authorizing a person to enter India;
- b) Certificate of Identity for the purpose of establishing the identity of a person; and
- c) Certificate or documents, as may be prescribed.

5. PASSPORTS FOR A NAMED COUNTRY

5.1. The Passports (Amendment) Act, 1978 has incorporated a provision for issue of passports for a 'named country'. Such passports were earlier issued for travel between India and Bangladesh, India and Sri Lanka and vice versa. These special passports are no longer being issued.

6. ISSUE OF PASSPORTS TO NON-NATIONALS

6.1. A passport is largely an identity and travel document issued to the State's own nationals. Many countries issue passport to foreigners in the absence of any travel documents but specify their respective foreign citizenship in the passport. The British Overseas Passport is a well known example. Thus, a passport provides evidence of the holder's nationality, but this is placed in the same category as any other evidence of the citizenship status of an individual. Under Section 20 of the Passports Act, 1967, Indian passports/travel documents may be issued to non-

nationals. This power, however, vests with the Central Government only. This authority of the Central Government can be exercised by the Secretary/ Additional Secretary/ Joint Secretary/ Director/ Deputy Secretary, in charge of the Passport Division in the Ministry of External Affairs. Such an authority cannot be exercised by any other Passport Authority and all such cases of issue of passports to non-Indian citizens require the prior approval of the Central Government, unless such powers have been delegated by the Central Government. At present, such powers have been delegated to Indian Missions in Yangon and Bangkok and the Passport Officer, Ahmedabad, for certain categories of persons, under specific conditions, which are discussed in detail in the succeeding paragraphs.

7. DELEGATION OF POWERS U/S 20 OF THE PASSPORTS ACT, 1967

7.1. Embassy of India, Bangkok, has been empowered to issue passports to persons of Indian origin residing in Thailand, whose national status has not been verified, describing their national status, inter alia, as 'Indian' or 'Indian by birth' or 'person of Indian origin' [GSR 254 dated 22/02/1971].

7.2. The Embassy of India, Yangon, has been authorized to exercise powers u/s 20 of the Passports Act to grant passports to persons of Indian origin residing in Myanmar (formerly Union of Burma) and holding Foreigners Registration Certificate issued by Government of the Union of Myanmar. The passports in such cases are to be granted for a period of one year at a time and endorsed for Myanmar only [GSR 353(E) dated 26/5/1976 for six months and further extended to one year in May 2016].

7.3 Passport Officer, Ahmedabad, has also been delegated authority to grant Certificate of Identity to persons of Indian origin who came back to India from Kenya and Uganda, and are residing within the State of Gujarat and the Union Territory of Dadra and Nagar Haveli [GSR 420(E) dated 29/06/1977].

3. CHANGE OF PERSONAL PARTICULARS ON REISSUE OF PASSPORTS

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| <ol style="list-style-type: none">1. General2. Powers to rectify errors u/s 21 of the General Clauses Act3. Change of name4. Change in name of parent(s)5. Change in Date of Birth6. Change in Place of Birth7. Change of Sex8. Change in Appearance9. Change of Address10. Change in Signature11. Police Verification |
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1. GENERAL

1.1. The provisions of this Chapter apply primarily to the cases of re-issue of passports and not in the case of fresh issue of passports, that is, only to those persons who have already held or hold an Indian passport.

2. POWERS TO RECTIFY ERRORS U/S 21 OF GENERAL CLAUSES ACT

2.1. All authorities, including Passport Authority, have the power to rectify clerical errors in accordance with Section 21 of the General Clauses Act, 1897. Therefore, purely clerical errors in passport, including error in DOB, can be corrected by the Passport Authority. Any rectification of entries in a passport would be done only by re-issue of passport and not by any kind of endorsement in a passport.

3. CHANGE OF NAME

3.1. Ministry, vide Notification GSR No. 1171 (E), dated 26.12.2016, framed rules, including the procedure to be followed and the documents to be submitted for re-issue of passport with the changed name of the applicant. These are given below:

3.1.1. Following marriage, remarriage or divorce, except details provided by the applicant in the application, no proof of marriage/dissolution of marriage or any court orders/decrees would be required in the following cases:

(a) An applicant applying for re-issue of passport for incorporation of the name of his/her spouse;

(b) A woman applying for change of name/surname in existing passport due to marriage;

(c) Divorcees applying for change of name or for deletion of spouse's name in existing passport;

(d) Re-married applicants applying for change of name/spouse's name in passport.

3.1.2. In other circumstances for change of name, the applicant (both male and female) should furnish:

(i) clippings of two local newspapers or the Gazette notification of the concerned State Government, as the case may be;

(ii) at least two public/school documents issued in the desired name to ascertain that the applicant has actually changed his name.

(iii) In case of NRI applicants and their dependent family members who have been staying abroad on long term permanent or work visa/permit, two public documents issued by the local government/local school/educational institution where the student is enrolled may be accepted. This would not be applicable for temporary residents and visitors from India or third countries.

3.1.3. Regarding the endorsement of spouse name of same sex, the matter was considered in detail in consultation with the L&T Division of the Ministry and the Department of Legal Affairs, Ministry of Law & Justice. There is no provision in the marriage laws to regulate the marriage of same sex people in India. Endorsement of spouse name of same sex in the passport of an applicant is not advisable.

3.1.4. The following cases are to be considered as name change and the provisions of Para 3.1.2. are to be applied in these cases:

- (a) Married woman wishing to revert to maiden name when not divorced or widowed;
- (b) Change of name upon attaining adulthood from childhood;
- (c) Minor change in name; and
- (d) Change/addition of surname.

3.2. Minor correction in name

3.2.1. The following cases are not to be considered as name change and the provisions of Para 3.1. are not to be applied in these cases:

(i) Spelling correction/change of spelling which phonetically does not result in change in name (e.g., D'souza to De Souza);

(ii) Variation of a name as mentioned in Birth Certificate (e.g., Sanjiv to Sanjeev)

(iii) Shifting of words/changing arrangements of various parts of existing name without inserting/ deleting any words /letters in the existing name (e.g., Parmeshwaran Shiva Kumaran to Shiva Parmeshwaran Kumaran). The most recent name as shown in at least a couple of personal documents, educational certificates etc. issued by Government authorities are to be submitted in such cases. However, shifting parts of name should not be allowed where the initial name/abbreviation is father's name as is the practice in Tamil Nadu, Andhra Pradesh and Telengana or where the last name is the father's name as is the

practice in Maharashtra. In such cases, procedure stipulated at para 3.2 should be followed.

(iv) Splitting of given name into first name and surname may be allowed subject to production of at least two public documents in the said name. In most countries, there is a requirement to mention surname, which is not the case in India. Applicants may be allowed to split the existing parts of the name into first name and surname, without any change or addition/deletion of any part of the name. Example, if an applicant held a passport showing DILIP KUMAR as the given name and surname is blank, he may be allowed to enter DILIP as first name and KUMAR as surname. If an applicant held a passport in the name of SANJU MOHAN PRASAD with surname field blank, he may be allowed to enter SANJU MOHAN or SANJU as the first name and PRASAD or MOHAN PRASAD as surname. It has to be borne in mind that there is no separation in name into first/ given name and surname in most of the IDs/Documents issued in India.

3.3. Foreign divorce judgements not valid in India

3.3.1. The Supreme Court in its judgement dated 9/7/1991 in Y. Narasimha Rao and Ors vs. Y. Venkata Lakshmi and Anr. held that the decree dissolving the marriage passed by the foreign court is without jurisdiction according to the Hindu Marriage Act as neither the marriage was celebrated nor the parties last resided together nor the respondent resided within the jurisdiction of that Court. Further, irretrievable breakdown of marriage is not one of the grounds recognized by the Act of dissolution of marriage. The Supreme Court's order is broadly based on Section 13 of the Civil Procedure Code of India. Hence, PIAs may refuse to accept any ex-parte foreign divorce judgement even if it's duly apostilled/ authenticated by foreign Government or Indian Mission/ Post abroad for purpose of grant of any passport service.

3.3.2. In case of mutually agreed or mutually properly contested divorce cases also, an application must be submitted by the parties at the competent Indian civil court and a declaratory order authenticating and confirming that the foreign divorce decree is in accordance with Indian law must be obtained by the concerned parties, before the mutual/contested foreign divorce is accepted by PIAs for grant of any passport service.

3.4. ADOPTED CHILDREN (change in name and change of parents' name)

3.4.1. WHEN AN ADOPTED CHILD ALREADY POSSESSES A PASSPORT:

(i) Inter-country adoption: In the case of an adopted child who already possesses a passport, the request for change of name or change of name of parent(s), may be accepted in case the changed name and the adoptive parent(s) name are already recorded in the adoption order issued by the court and as mentioned in the NOC issued by CARA.

(ii) In-Country adoption: In case of in-country adoption which does not require a court order, the applicant must follow the name change procedure in para 3.1 for complete change of name. In case in-country adoption has been secured through a court order or through CARA, then the name recorded in the adoption decree or

Conformity/No Objection Certificate issued by CARA would be sufficient for change of name.

3.4.2. WHEN AN ADOPTED CHILD DOES NOT HOLD A PASSPORT

3.4.2.1. In the case of an adopted child (in-country/inter-country) who applies for fresh passport, the application may be processed in the normal course as per the name of the child and the adoptive parents recorded in court adoption order. In case a further name change is sought, complete change of name procedure as prescribed at para 3.1 has to be followed. In case of in-country adoption not requiring a court order where the application is for fresh passport, PIA has to ensure that the adoption deed is valid and in case of any doubt, may insist on name change procedure as in para 3.1 where name of the child in the application is different from that in his BC /School Certificate.

3.4.2.2. It may be noted that a person can change his/her name irrespective of adoption. The requests for such change in name of the child should be dealt with in accordance with the instructions regarding change in name in Para 3.1., irrespective of the fact whether it is asked for due to adoption.

3.5. Change of name by Minors

3.5.1. In case of minors, the requests for change in name should be entertained only from their biological parents or legally adoptive parents (and not from their guardians unless such guardian has been appointed by court order). Name change procedure, except for cases under para 3.2 for correction in name, will apply in re-issue cases.

3.6. Repeated name change

3.6.1. Only one name change as per existing procedure should be allowed. For subsequent complete name change (except adding husband's surname by women and adding father's surname), an applicant should submit two documentary proofs that he/she had indeed changed the name in his/her other documents as well to conform to the name change already effected previously in passport. Otherwise, the applicant would be holding multiple identities. Applications for repeated name change without such documentary proof should not be accepted [Ministry's Circular No. VI/401/01/05/2008 dated 14/09/2009].

3.7. In case of government servants or retired government servants, application for change of name may be accepted in lieu of paper clippings with the original or attested copy of official gazette through which the government servant had notified change of his/her name for the purpose of service record, along with copy of duly attested departmental id card/pensioner's card.

4. CHANGE IN THE NAME OF PARENT(S)

4.1. Request for change in name of parents should normally not be entertained. However, the following cases could be considered:

- (a) The parents themselves change the name (e.g., parent of a person after following the prescribed procedure, changes his/her name). Now the child of that parent is seeking change of name of the parents in his passport.
- (b) There was some clerical error in respect of the name of the parents and an applicant provides documentary proof showing the correct name (spelling) of his parent(s).
- (c) In adoption cases [see Chapter 9. Adopted Children (change in name and change of name of parents)].
- (d) In case of minors where passport is desired with the name of the step-parent instead of the biological parent.

4.2. Change in the name of deceased parents

4.2.1. There is no law under which a person, not even the legal heirs of a deceased, can change the name of deceased persons. Admittedly, a deceased person has throughout his life used the name for all official transactions during his life period and now his legal heirs/descendants cannot, for their convenience whatsoever, be allowed to change the name of a deceased [Ref. Ministry of Law Dy. No. 10932/O7-Adv.A dated 18.07.07]. Extension of initials of the name of the parents into full name may be allowed, subject to submission of proof.

4.2.2. **Based on documentary proof issued in their life time or name in Death Certificate:** Name of parents as shown in his/her own passport is significant proof of the correct name and is to be accepted on priority. Besides, the names of the parents as shown in educational documents/marriage certificate, birth certificate including revised certificates, etc. can also be accepted as correct, even if these had been issued after the death of the parents.

4.3. Name change in Goa from Portuguese to English and vice versa

4.3.1. In Goa, the names of a large number of persons were originally recorded in Portuguese; some converted these names into English. Thereafter, some persons wanted these names to be re-converted into Portuguese for the purpose of their migration to Portugal. References are received from PO, Panaji, for correction/change in names or change in the name of parent(s). The passport may be issued with changed name in the following cases, subject to the applicant completing documentation regarding name change:

- a) Minor correction in name (e.g., D'souza to De Souza, etc.)
- b) Change of name of parent(s) strictly on the basis of documentary proof such as passport, property titles, etc., that the parent(s) were using in Portuguese sounding names.
- c) For change in name of the applicant, the procedure laid down in Para 3.1. would apply and pre-police verification is required.

4.4. Inclusion of name of step-parent(s)

4.4.1. Names of both the biological parents must be provided in case of children born out of wedlock.

4.4.2. If an applicant whose biological parents have been divorced and the biological mother/father having the custody of the child gets remarried, applies for passport and wants to get the same issued with the name of the stepfather/step mother instead of biological father/mother, as the case may be, the request of such an applicant parent (in case the applicant is minor)/applicant for the issue of passport with the name of step parent shall be accepted by the Passport Issuing Authority, subject to the submission of the following documents;

(a) A self-declaration on a plain paper stating that he/she does not want to have biological father/mother's name on his/her passport and instead of that, the name of the step father/mother be mentioned against the column of father's/mother's name. The applicant also has to declare that in future if there is a litigation, the entire onus to defend such a case will be on him/her and the Passport Issuing Authority shall not be held accountable for the act of the applicant.

(b) At least two educational/public documents where the name of the step father/mother is mentioned against the father/mother's name column.

(c) Registered Marriage Certificate (of remarriage) of parent who is applying for minor.

All such applications irrespective of the age of the applicant, whether major or minor, shall be processed by PIA only in **pre-police verification** mode.

5. CHANGE IN DATE OF BIRTH

5.1. It needs to be noted that an applicant can submit self-attested photocopy of any one of the following documents as proof of date of birth while applying for a new passport:

- i. Birth Certificate issued by the Registrar of Births and Deaths or the Municipal Corporation or any other prescribed authority, whosoever has been empowered under the Registration of Birth and Deaths Act, 1969 to register the birth of a child born in India;
- ii. Transfer/ School leaving/Matriculation Certificate/ Extract of school admission register issued by the school last attended/ **recognised** educational board;
- iii. Policy Bond issued by the Public Life Insurance Corporations/Companies having the DOB of the holder of the insurance policy;

- iv. Copy of an extract of the service record of the applicant (only in respect of Government servants) or the Pay Pension Order (in respect of retired Government Servants), duly attested/certified by the officer/in-charge of the Administration of the concerned Ministry/Department of the applicant;
- v. Aadhaar Card/E-Aadhaar;
- vi. Election Photo Identity Card (EPIC) issued by the Election Commission of India;
- vii. PAN Card issued by the Income Tax Department;
- viii. Driving License issued by the Transport department of concerned state Government;
- ix. A declaration given by the Head of the Orphanage/Child Care Home on their official letter head of the organization confirming the DOB of the applicant;
- x. Date of birth as in old passport; or
- xi. Disability certificate for Differently abled people issued by Social Justice /concerned Dept of State/Central Govt.

5.2. An applicant for a passport has to submit any one of the documents as mentioned in 5.1. above as proof of DOB while submitting the passport application. The DOB mentioned in the document would be recorded in the passport. In case there is a discrepancy between the DOB previously recorded in the passport and the new proof of DOB submitted by the applicant at the time of reissue of passport, the Passport Issuing Authorities (PIA) are authorized to consider the explanation of each applicant seeking change in the DOB.

5.3. Accordingly, the following revised procedure shall be adopted by all PIAs in India and abroad for change of DOB/place in passports:

5.3.1. Where an applicant claims clerical/technical mistake in the entry relating to birth/place of birth in the passport and seeks rectification, in all such cases, the documents produced earlier as proof of DOB at the time of issue of passport may be perused (if not already destroyed) by the issuing PIA. In case, it is a mistake either by the applicant or a clerical mistake by the issuing PIA, date/place of birth correction may be allowed by issue of fresh booklet without any limitation of time. In case of mistake by the applicant, fee for fresh passport to be charged and in case of mistake by the PIA staff, fresh passport to be issued on 'gratis' basis [as mentioned in Ministry's circular No. VI/401/2/5/2001 dated 29/10/2007].

5.3.2. If an applicant applies for correction of date of birth in the passport on the basis of a fresh or corrected Birth Certificate (the original BC was submitted earlier for issue of the first passport), the following procedure be followed:

- a) In case of furnishing of a new amended BC with the same date of issue and registration number of the old BC by the same authority, application for change in DOB be processed subject to physical verification of the new BC;
- b) In case of furnishing of a new BC by a different authority in replacement of old BC by another authority, the PIA shall insist on cancellation of the old BC and after physical verification of the cancellation certificate and the fresh BC from issuing authorities, application for change in DOB be processed;
- c) In case of furnishing of a new BC where the first passport was obtained using other documents like educational school certificates etc., application for change in DOB be processed subject to physical verification of the new BC and other supplementary documents (if required);

5.4. In case of DOB change applications based on fraudulent documents or /and suppression of material information or/and furnishing of wrong information, the Passport Authorities shall take appropriate steps for imposition of monetary penalty **OR** filing of criminal case against the offender applicant, as the case may be, in terms of the statutory provision of Section 12 of the Passports Act, 1967.

5.5. Change of DOB in respect of Government Servants: Apart from documentary proof as for normal applicants, Government servants should show proof that the change in DOB has been effected in their service records.

6. CHANGE OF PLACE OF BIRTH

6.1. The Birth Certificate is the only document which besides the DOB also contains the entry of POB of the applicant. Hence, the same can be accepted as the sole and the most reliable document to confirm the POB of an applicant applying for the re-issue of a passport with changed POB. In case, the previous passport had been obtained on the basis of the Birth Certificate issued by a certain agency and now the applicant along with a new Birth Certificate issued by the same or different agency applies for reissue of passport with the changed POB, the request for the change of POB would not be accepted by the Passport Issuing Authority unless the previous Birth Certificate is cancelled by the respective agency and the new Birth Certificate is verified by the issuing agency. This would further be subject to imposition of pecuniary penalty and other usual checks prescribed in the Passport Act, 1967 and the Passport Manual.

6.2. PIAs shall not insist on declaratory court orders for change of place of birth by applicants. Such applications shall first be examined by the PIAs on the basis of procedure stipulated above. In case of rejection of such applications by the PIAs, the applicants are free to seek legal remedy.

6.3. Since applicants randomly write village or town or city as POB, it is possible that a person born in a suburb may write the name of the main city itself.

Accordingly, PIAs shall not reject such applications and also not contest court cases on change of POB if the place already recorded in the passport and the one the applicants wants to change fall within the same district or adjoining districts. However, when such change is apparently fraudulent and sought to be made from one state to another (except in neighbouring/ bifurcated/ reorganized States etc); the case should be examined thoroughly and properly contested in the court (if the litigation in this regard has already been initiated by the applicant) under intimation to the Ministry.

6.4. In case of applications for change of POB from India to abroad, or from abroad to India, it involves the question of Indian citizenship and fraudulent obtaining of Indian passport. If POB is claimed to be outside India, PIA should confirm (i) if birth registration has been done at the Indian Mission/Post; (ii) if first passport was not issued from abroad, then whether the applicant travelled on the mother's passport; (iii) whether foreign birth certificate is genuine; and (iv) why previous passport (s) was obtained with a wrong POB. In order to obtain immigration quotas based on place of birth or to obtain foreign passports, applicants often try to get their POB changed from India to abroad.

7. CHANGE OF SEX

7.1. There are rare cases of request for change in sex consequent to medical procedure changing sex of an individual. The applicant should give a sworn affidavit regarding the change in sex and furnish supporting certificate from the hospital where he/she underwent the medical treatment for the purpose. Since the change in sex will also normally require a change in name, the applicant in that eventuality, will also have to follow the procedure in para 3.2 above regarding change of name. Passport should be issued on such application only after fresh police verification. Change in sex from male/female to Transgender does not require submission of any surgical reconstruction certificate. If an applicant's claims his sex as transgender, the applicant's claim may be accepted in good faith as it is a matter of self-identity.

8. CHANGE IN APPEARANCE

8.1. Passport can be reissued for change in appearance, subject to post-Police Verification in case of minor change and pre-Police Verification in case of substantial change of appearance . This will also apply to Sikh applicants who want to change from turbaned image to clean shaven image or vice versa.

9. CHANGE OF ADDRESS

9.1. Any of the following documents may be accepted as Proof of Residence at the time of applying for a new passport

- i. Aadhaar Card/ e-Aadhar/ Letter containing the unique Aadhar number
- ii. Allotment letter of the Government accommodation issued by the Estate Office/Public Works Department of the Central/State Government in respect of their employees
- iii. Applicant's current and valid ration card
- iv. Driving License

- v. Duly certified/attested extract of the service record/book of the Government employees (serving/retired) or the bonafide certificate issued by the employer in respect of serving Government employees
- vi. Election Commission Photo ID card
- vii. Electricity bill
- viii. Employer Certificate on letterhead from reputed and widely known companies
- ix. Gas Connection Bill
- x. Income Tax Assessment Order
- xi. Marriage Certificate issued by the Registrar of Marriages alongwith address proof of spouse in respect of newly married women
- xii. Parents' passports and parent's address proof in case of minors (if address is different)
- xiii. Parents' passports in case of minors (if address is the same)
- xiv. Passport of son/ daughter in case of dependent parents (if address is the same)
- xv. Passport of son/ daughter in case of dependent parents and address proof of son/ daughter (if address is different)
- xvi. Photo Passbook of running Bank Account (Scheduled Public Sector Banks, Scheduled Private Sector Indian Banks and Regional Rural Banks only)
- xvii. Proof of Address (POA) issued by the India Post, Department of Posts
- xviii. Rent Agreement
- xix. Spouse's passport copy (First and last page including family details mentioning applicant's name as spouse of the passport holder provided the applicant's present address matches the address mentioned in the spouse's passport)
- xx. Spouse's passport copy (if address is different) with spouse's address proof
- xxi. Telephone (landline or post-paid mobile bill)
- xxii. Water Bill

9.2. Applicants are required to submit the proof of address of the present address only, irrespective of the date from which he/she has been residing at the given address. However, he/she is required to mention all the places of stay during previous one year (from the date of application filling) in the Passport application form.

9.3. Any change in the address at the time of applying for re-issue of passport can be considered by the PIA upon submission of the proof address specified above and after verification of the passport particulars from PRIDE/original PIA and the prescribed formalities for processing of the application.

10. CHANGE IN SIGNATURE

10.1. The passport can be reissued in such cases after following application processing formalities.

11. POLICE VERIFICATION

11.1. Pre-Police Verification will be required in case of change in name or other particulars.

4. ISSUE OF PASSPORTS TO MINORS

1. **Separate Passports to Minors**
2. **Procedure**
3. **Conditions & Requirements for Minor Passport**
4. **Special cases of Minors requiring Passports**
5. **Children born abroad & holding foreign passport**

1. SEPARATE PASSPORTS TO MINORS

1.1. The names of children are not to be included in the passports of the parents. All minor children are required to have separate passports with effect from April 1997. A minor child below 15 years of age is issued a passport with five years validity or till the minor attains the age of 18 years. The validity of five years is because the physical appearance of the child changes considerably over five years.

2. PROCEDURE

2.1. The procedure is almost the same as for issue of ordinary passport. In case of minors, the passport application form and other documents, if any, have to be signed by the parents or the legal guardian/local guardian, as the case may be. Either the parents or the legal guardian/local guardian shall be present at the PSK/ POPSK while applying for a passport for their minor child/ children or one parent with passports of both the parents may be present. However, additional documentation is required as given in Para 3 below.

3. CONDITIONS AND REQUIREMENTS FOR ISSUE OF PASSPORT TO MINORS

3.1. All applications of issue or re-issue of passport to minors shall be processed on pre-PV basis unless submitted under Tatkaal scheme when the same may be processed on post-PV basis. Passport may be issued on no-PV basis only in respect of adopted minor children in cases of inter-country adoption when necessary NOC and Conformity Certificate are also submitted.

3.2. Children between the ages of 15 and 18 have the option to apply for a minor passport valid until he/she attains 18 years of age or full validity passport on 'pre-PV' basis. If the previous passport had been issued from India, then clearance may be obtained from the previous PIA.

3.3 The following documents should be submitted along with the application:

a) Documentary proof of residence of either parent if the address is different from that in the passports of the parents.

b) Both the parents should sign Annexure 'D' of Appendix-1 in fresh or reissue cases. [Both parents shall be present at the PSK while applying for passport for their minor children or one parent with passports of both the parents may be present. In case either parent is resident abroad, the consent of that parent in Annexure 'D' duly attested by the Indian Mission/Post abroad should be submitted. The parent who is submitting the application in India will sign the application form and will attach Annexure-'D' duly attested by the Indian Mission/Post abroad.]

c) If Annexure-'D' is not signed by both the parents, a single parent must submit a declaration in the form in Annexure-'C' stating the reasons except in cases where the single parent has got full custody of the child without visitation rights for the spouse. In case divorce proceedings are pending, court permission is required for issue of passport to a minor child. In case of seaman/sailors who are on board ships and not able to visit Indian Missions/Posts abroad, the requirement for signing Annexure 'D' shall be waived on furnishing proof of their employment.

d) In case both the parents are living abroad, the parents need to appoint a local guardian who can complete and submit the passport application. The parents need to furnish a joint sworn affidavit (both parents need to sign) duly attested by the Indian Mission/Post abroad. The passport will be issued subject to pre-PVR. The prescribed affidavit from two responsible persons, who both know the local guardian and the minor, should be submitted with the application. However, if the local guardian is one of the grandparents of the minor, the affidavit from two responsible persons is not required.

e) Legal guardian can also apply for the passport of a minor child. He/ She needs to submit, besides standard documents, a certified copy of the court order appointing him/her as legal guardian.

3.4 In case both the parents have expired and the application is filed by the grand parents or other surviving relatives, the normal procedure shall apply. In cases of legal or local guardian also, pre-PV is mandatory.

4. SPECIAL CASES OF MINORS REQUIRING PASSPORTS

Exclusion of father/mother name from passport of minor in single parent custody

4.1. The online passport application form now permits that an applicant may provide the name of father or mother or legal guardian, i.e., only one parent and not both. This would enable single parents to apply for passports for their children and get passport(s) issued where the name of either the father or the mother is not required to be printed at the request of the applicant.

4.2. In case of minor children of unwed single parent, the name of father or mother is not to be mentioned in the passport application and in the passport. In

case of unwed parents submitting Appendix-12, name of both the parents is to be mentioned in the application form and in the passport.

4.3. In case of minor children of married parents, the name of father/mother shall be furnished by the other single parent having the custody of the child, irrespective of the status of their marriage, such as, divorced, divorce pending, separated or deserted, with or without visitation rights to the estranged parent.

Children of divorced parents

4.4. Application from divorced parents for issue of passports to their minor children has to be processed with care and diligence. Whereas the divorce of parents does not result in severance of the relation between the child and the parent, unless the parent has legally disowned the child, the child's right to have a passport and travel abroad cannot be denied on such grounds. Children also have a fundamental right to travel and the other parent cannot wilfully prevent them from travelling abroad. These realities have been taken into account while processing applications for passports from children in the custody of single parents.

4.5. A court decree granting divorce would normally award custody of the minor child/children to either parent. The PIA must ensure that the application for the minor's passport is entertained only from such parent who has been granted custody by the court. While doing so, the PIA must also satisfy himself that the period of limitation for appeal against such decree has expired before issuing the passport. PIA must also ensure that if the other parent has visitation or other rights on the child as per court order, the consent of the other parent is also furnished. However, in rare cases where one of the parents wilfully refuses to give consent or inordinately delays consent or objects in writing to the PIA against issue of passports to his/her children residing with other parent without any cogent reason, and thus denying the fundamental right of the children to travel, passports may be issued to the child/children, after receipt of an affidavit in the form of **Annexure 'C'** obtained from the parent having the custody of the children, stating that the other parent is wilfully denying or not granting permission for issue of passports to the children. The other parent should be informed in writing in advance by the PIA of the proposed issue of passport to children at the request of the parent who is having the custody of the children. It will then be the responsibility of the other parent to approach the courts for suitable redressal.

Divorce pending cases

4.6. In case divorce is still pending before the Court, the PIA shall insist on consent of both the parents. Alternatively, the applicant's parent should furnish or obtain permission from the court to apply for a passport for the child without the consent of the other parent of the child. In pending divorce cases, where the single parent with child is already working/ staying abroad, the child requires a passport for its continued stay abroad. In such a situation, the Mission/Post abroad may issue a two-year short validity passport to the child, at a time, pending court permission for issue of a regular passport or direction for custody of the child.

Single divorced parent with exclusive custody of child without visitation rights for the other parent

4.7. Where the custody of the child has been given exclusively to either parent without any visitation rights to the other parent, the question of obtaining consent of the other parent would normally not arise. A certified copy of the court order has to be submitted with the application and Annexure 'C' signed by the single parent.

Single separated parent

4.8. In case one married parent has terminated the relationship with the other parent without a formal divorce, an declaration in the format of Annexure 'C' may be accepted from the parent having the custody of the child.

Child of unwed mother

4.9. In case of an unwed mother, and where the father of the child is either known or unknown, for example a child born after a rape, etc., the single unwed parent shall furnish a declaration in Annexure 'C' and 'D' of **Appendix-1**. The name of the father should be left blank.

Child born outside of wedlock

4.10. In cases where the child is born outside of wedlock (including parents married to different persons), but with both the biological parents accepting parentage of the child, both the names of the biological parents can be entered in the child's passport, after obtaining a declaration in Annexure-D signed by both the parents. In the declaration, they should confirm their relationship and declare that the child was born out of their relationship but without the formal legal sanction of marriage. It has been confirmed by Legal & Treaties Division of the Ministry of External Affairs that the issue of a passport to the minor with the names of both the biological parents, cannot be treated as legalizing the parent's relationship for other purposes such as succession, inheritance, etc.

Children of married parents, abandoned by other parent

4.11. In cases where: (i) the married parent who is an Indian citizen, claims that the father had no contact with the mother or the child after the birth of the child; or where (ii) the father has terminated the relationship with the mother and the child after conception/birth of the child, a declaration in Annexure 'C' shall be submitted by the parent with the custody of the child. Cases where a biological married/unmarried father who is an Indian citizen seeks passport for his child claiming that the biological mother has abandoned the child, the procedure as applicable for single mother would apply *mutatis mutandis*. However, the PIA shall exercise caution, inquire and rule out any attempt to permanently spirit away the child from the mother in India or abroad. In many European countries and USA, it is a punishable offence.

Note: *The Supreme Court, in a judgment dated the 17th February, 1999, while interpreting the scope of the Hindu Minority and Guardianship Act, 1956 (32 of*

1956), has ruled that when the minor is in the exclusive care and custody of the mother, the mother can act as a natural guardian of the minor and all her actions would be valid even during the life time of the father who would be deemed absent.[Writ Petition(C) No. 489 of 1995 of Ms. Gita Hariharan Versus The Reserve Bank of India].

4.12. Annexure 'C' and 'D': Their applicability and differentiation:

Annexure 'C': This declaration is applicable in cases where for any reason whatsoever the married parent applying for passport for the minor child is not able to obtain the consent of the other parent for obtaining passport for the child. The reasons also include – wilful denial of consent by the estranged parent; desertion; absence of communication between the divorced/not divorced but separated parents, ex-parte divorce proceedings etc., but exclude cases where both the parents are involved in divorce proceedings in which case, the permission of the court or consent of both the parents in Annex 'D' is required.

Annexure 'D': This is for all normal cases where both the parents have to sign Annexure 'D'. Both parents or either parent with passports of both the parents shall be present at the time of issue of fresh passport or reissue of passport to the minor children or one parent with the passports of both the parents. This Annexure is also applicable to a single parent who has got full custody of the child and without any visitation rights to other parent (judgement to be verified); seaman/sailor spouse who are unable to sign Annexure D; unmarried parents submitting an affidavit as per Appendix 12.

4.13. Inclusion of name of step-parent(s)

4.13.1. Names of both the biological parents must be provided in case of children born out of wedlock.

4.13.2. If an applicant whose biological parents have been divorced or one of the biological parents has expired and the biological mother/father (having the custody of the child) gets remarried, applies for passport and wants to get the same issued with the name of the stepfather/step mother instead of biological father/mother, as the case may be, the request of such an applicant parent (in case the applicant is minor)/applicant for the issue of passport with the name of step parent shall be accepted by the Passport Issuing Authority, subject to the submission of the following documents;

(a) A self-declaration on a plain paper stating that he/she does not want to have biological father/mother's name on his/her passport and instead of that, the name of the step father/mother be mentioned against the column of father's/mother's name. The applicant also has to declare that in future if there is litigation, the entire onus to defend such a case will be on him/her and the Passport Issuing Authority shall not be held accountable for the act of the applicant.

(b) At least two educational/public documents where the name of the step father/mother is mentioned against the father/mother's name column.

(c) Registered Marriage Certificate (of remarriage) of parent who is applying for minor.

(d) Death certificate from the authority concerned in respect of the death of the biological father/ mother, if deceased.

All such applications irrespective of the age of the applicant, whether major or minor, shall be processed by PIA only in pre-police verification (**pre-PV**) mode.

Child who has stayed in a Child Care Home/Orphanage

4.14. An orphan/ abandoned child/ applicant who has stayed in a Child Care Home/ Orphanage and is not having any proof of Date of Birth, may submit a declaration given by the Head of the Orphanage/ Child Care Home on the official letter head of the organization confirming the DOB of the applicant and the same would be accepted by all the Passport Issuing Authorities as a valid proof of DOB to issue passport to such an applicant. Such cases shall be processed by the PIAs on pre-police verification mode only.

5. CHILDREN BORN ABROAD – INDIAN PASSPORT ONLY IF NOT HOLDING FOREIGN PASSPORT

5.1. Children born to Indian citizen(s) outside India acquire Indian citizenship by descent as per section 4 of the Citizenship Act, 1955. Clarification has been received from MHA that the parents of a child who is born outside India and is eligible for Indian citizenship under Section 4(1) of the Citizenship Act, 1955, have to get the birth of the child registered in the Indian consulate under provisions of Section 4 of the Citizenship Act, 1955. After registration, such child becomes a citizen of India by descent.

5.2. The Mission shall insist on registration of birth of the children born abroad under Section 4(1) of the Citizenship Act, 1955 on the relevant MHA website. The birth of the baby shall also be registered by the Indian Mission/Post abroad within one year. Heads of Indian Missions/Posts abroad have also been delegated powers by MHA to register birth of children even after one year of its occurrence under Section 4 of the Citizenship Act, 1955 vide MHA order No. 26030/129/2015-IC-II dated 15/06/2015.

5.3. Section 4 of the Indian Citizenship Act, 1955 stipulates that no such birth of a child shall be registered unless the Indian parents of such child declare, in such form and in such manner as may be prescribed, that the minor does not hold the passport of another country. An Indian passport can only be issued once the registration of the child as an Indian citizen has been completed. MHA has clarified that a declaration in this regard from the parent is sufficient and that if the minor has obtained passport of any other country (be it his birth country or the country of his non-Indian parent), it should be surrendered before registering the birth of child under section 4(1).

5.4. Section 4(1A) of the Indian Citizenship Act, 1955 states that a minor who is a citizen of India by virtue of this section and is also a citizen of any other country

shall cease to be a citizen of India if he does not renounce the citizenship or nationality of another country within six months of attaining full age. **However, this does not confer any right for holding an Indian passport simultaneously with a foreign passport.**

5.5. In many cases, a child born to Indian parents outside India also becomes eligible for citizenship of another country by virtue of citizenship laws of the country. **However, Indian constitution and the Citizenship Act, 1955 do not permit dual citizenship.** In view of this, the policy makers had incorporated a provision under section 4(1) of the Citizenship Act, 1955 which requires that at the time of registration of birth, parents have to submit a declaration that the child does not hold the passport of any other country. Furthermore, a minor who is a citizen of India by virtue of section 4 of the Citizenship Act, 1955 and is also a citizen of any other country shall cease to be a citizen of India if he does not renounce the citizenship or nationality of another country within six months of attaining full age.

5.6. In some countries like Mexico, Mexican citizenship is mandatory for the Indian children born there and they are required to obtain and possess Mexican passports. In such cases, the parents of children born abroad should be advised to first register the birth of their children with the Indian Mission/Post and only afterwards complete the local mandatory procedure for foreign citizenship. The mandatory declaration by the Indian parents that their child does not hold any foreign passport shall be accepted by the Missions/Posts in good faith. In any case, in all such countries where foreign citizenship is granted by birth, the Missions/Posts abroad may insist on renunciation of foreign citizenship and surrender of foreign passport, if any, before extending any passport service to Indian citizens with dual citizenship when they reach the age of 18 years and are eligible to resume Indian citizenship. In case the child has to compulsorily have a foreign passport, the registration process may be completed before acquiring a foreign passport and then the child may apply for an OCI Card.

5.7. **As dual citizenship is not permitted as per the Constitution of India, it is clarified that under no circumstances an Indian citizen, including a minor, can possess an Indian and a foreign passport at the same time.**

5. ISSUE OF PASSPORTS TO ADOPTED CHILDREN

1. Introduction
2. Passports to adopted children
3. Inter-Country Adoption
4. In-Country Adoption
5. Compulsory intimation by RPOs to the concerned Indian Mission/Post
6. Role of Indian Diplomatic Missions in Inter-Country Adoption
7. Surrogate children

1. INTRODUCTION

1.1. Issue of passports to 'adopted' children entails additional documentation and is different from issue of passports to minors. Before issue of passports to adopted children, it is the primary duty of the Passport Issuing Authorities (PIA) to ensure that in addition to the normal passport requirements, the applicant is having legally valid adoption papers/ orders and other related documents.

1.2. "Adoption" means the process through which the adopted child is permanently separated from his biological parents and becomes the lawful child of his adoptive parents with all the rights, privileges and responsibilities that are attached to a biological child." According to Section 63 of the Juvenile Justice (Care and Protection of Children) Act, 2015, a child in respect of whom an adoption order is issued by the court, shall become the child of the adoptive parents, and the adoptive parents shall become the parents of the child as if the child had been born to the adoptive parents, for all purposes, including intestacy, with effect from the date on which the adoption order takes effect, and on and from such date all the ties of the child in the family of his/her birth shall stand severed and replaced by those created by the adoption order in the adoptive family. Hindus may also adopt under the Hindu Adoption and Maintenance Act, 1956.

1.3. The Central Adoption Resource Authority (CARA) [www.cara.nic.in] is a statutory body under the administrative control of the Ministry of Women & Child Development, Government of India. CARA has been designated as the central authority in India to deal with adoptions, especially inter-country adoptions in accordance with the provisions of The Hague Convention on Inter-country Adoption, 1993, ratified by Government of India on 6th June, 2003.

2. PASSPORTS TO ADOPTED CHILDREN

2.1. Issue of passport to adopted children falls in two categories viz. (i) in-country adoption and (ii) inter-country adoption. "In-country adoption" means adoption of a child by a citizen of India residing in India. "Inter-country adoption" means adoption of a child from India by a non-resident Indian or by a person of Indian origin or by a foreigner. In both the cases, the PIA should ensure that the adoption process is complete and that the adoption is legally valid, before issue of passport.

3. INTER-COUNTRY ADOPTION CASES

3.1. All inter-country adoptions shall be done only as per the provisions of the Juvenile Justice (Care & Protection of Children) Act, 2015 and the Adoption Regulations 2017. Application may be submitted by the Central/ State Adoption Agency in cases of inter-country adoption by foreign/NRI/OCI adoptive parents. However, the application has to be signed by the adoptive parents.

3.2. In case of relative inter-country adoption, the application shall be submitted by the adoptive parents.

3.3. It is the responsibility of the Adoption Agency to obtain a Birth Certificate. However, if the date of birth is given in the Court Order or the NOC issued by CARA, there should be no need to insist on a Birth Certificate.

3.4. All cases of inter-country adoptions with Court order and NOC from CARA are to be processed on 'No-PV' basis.

Documents required

- (i) Conformity Certificate issued by CARA;
- (ii) No Objection Certificate (NOC) from CARA (if the original NOC of CARA is not available with the applicant due to the reason that it has been submitted in the court, a copy of the same duly certified/ attested by CARA may be accepted by the PIA for the issue of passport);
- (iii) Court order on adoption or certified copy thereof; and
- (iv) Any other document, if required, for issue of passports to minor children .

4. In-country adoption

4.1. In-Country adoptions may be relative or non-relative adoption. The children adopted may also be orphaned, abandoned or surrendered (OAS) children. All cases of in-country adoption of OAS children will be governed by the Juvenile Justice (Care & Protection of Children) Act, 2015 and the Adoption Regulations, 2017. The application has to be signed and submitted by the adoptive parents.

4.2. The PIA shall issue passport to In-Country adopted children on submission of complete application and production of the following documents:

1. Court Order or certified copy thereof, if adoption done under JJ Act, 2015 or Hindu Adoption & Maintenance Act, 1956.
2. Conformity Certificate should also be submitted if done under JJ Act, 2015.
3. Registered or Notarized Adoption deed, if available.
4. If adoption deed is not available, a self-declaration by the applicant confirming the adoption will be accepted.
5. Proof of Residence of the Adoptive Parents.

6. Consent of Biological parent(s) (if not deceased) or Child Welfare Committee, should be obtained in case the documents mentioned in (i) and (ii) or (iii) of this para are not available.
7. In case of adoption of child by step-parent, consent of the step parent and biological parent (if not deceased) should be obtained in case the documents mentioned in (i) and (ii) or (iii) of this para are not available.
8. All other documents required for issue of passport to minor children as mentioned in Chapter-9 of the Manual.

4.3. All cases of in-country adoption are to be processed on 'pre-PV' basis.

4.4. Passports cannot be issued to adopted children under Tatkaal category.

4.5. Passport should be issued to the adopted child in the same name as contained in the Court Order, NOC, Conformity Certificate, Adoption Deed and other documents submitted with the application form. Name change will only be applicable in re-issue cases where name change procedure needs to be followed, unless the child had a previous passport in an old name and is obtaining a new passport after adoption in which case, the name should be as contained in the Court Order or Adoption Deed, as the case may be.

4.6. In view of the adoption guidelines regarding alternate rehabilitation of the child, if the Court order produced along with the passport application is more than 6 months old, before issuing the passport, the PIA should confirm from the SARA/ CARA that there are no adverse reports or pending cases for alternate rehabilitation of the child.

5. COMPULSORY INTIMATION BY PASSPORT OFFICES TO THE CONCERNED INDIAN MISSION/ POST ABROAD: Immediately on issue of passport to the inter-country adopted Indian child to the foreign/NRI family, the issuing Passport Office shall intimate personal and passport particulars of the adopted child and adoptive parents to the concerned Indian Mission/Post abroad for monitoring the child as per Guidelines given at para 6 below.

6. ROLE OF INDIAN DIPLOMATIC MISSIONS IN INTER-COUNTRY ADOPTION

6.1. The Indian Missions/ Posts abroad will help CARA in maintaining liaison with the different authorities and agencies operating in the countries of their jurisdiction. The role of the Mission/ Post includes recommendation of Authorised Foreign Adoption Agency [AFAA], attestation of documents including English translation. Whenever a report is received about disruption of adoption of an Indian child by a foreign couple, the Mission/ Post should contact the authorities concerned to ensure that the interest of the child is being looked after. A report in this regard should also be sent to CARA at the earliest. In case the child is required to be returned to India, the Mission should help and facilitate repatriation of the child. Regulation 40 of Adoption Regulations, 2017 stipulates the role of Indian diplomatic Missions/Posts abroad as follows:

"40. Role of Indian diplomatic missions in inter-country adoption - Indian diplomatic missions abroad shall have the following role in inter-country adoption of Indian children, namely –

(1) liaise with concerned central or public authorities to ensure safeguards of children of Indian origin adopted by non resident Indians, overseas citizen of India or foreign parents against neglect, maltreatment, exploitation or abuse;

(2) interact with the authorised foreign adoption agencies and Central Authorities within their jurisdiction and organise or participate in the get-togethers of the adopted children and their parents;

(3) recommend proposals for authorisation of foreign adoption agencies for the purpose of sponsoring applications for adoption of Indian children;

(4) issue visa to foreign prospective adoptive parents who wish to see a child in person at a Specialized Adoption Agency in India, before accepting him for adoption, after their adoption application is approved by the Authority, and also for attending the court proceedings as well as for receiving the child thereafter;

(5) empanel and authorise social workers to complete adoption application formalities including home study report in a foreign country, where there is no authorised Foreign Adoption Agency or a Government department to deal with adoption;

*(6) register the adoption applications of Non-Resident Indian Prospective Adoptive Parents or Overseas Citizen of India in Child Adoption Resource Information and Guidance System along with requisite documents as specified in **Schedule VI** and upload post-adoption follow-up reports as in regulation 19;*

(7) the Indian diplomatic mission processing the adoption application, either directly or through the authorised organisation or individual shall send progress report of the child on quarterly basis in the first year and on six monthly basis in the second year, from the date of arrival of the child in the receiving country and in case of disruption of adoption, shall take actions, as in regulation 19;

(8) contact the Central Authority or other authorities in the receiving countries to ensure safeguards of children of Indian origin adopted by non-Resident Indians or Overseas Citizen of India or foreign parents, and in case of disruption of adoption, a report in this regard shall also be sent to the Authority at the earliest;

(9) render necessary help and facilitate the repatriation of the child, if required, in consultation with the local authorities, concerned adoption agency and the Authority;

(10) facilitate root search by an adoptee of Indian origin, if contacted; and

(11) communicate any report or observation, which it may consider as important and relevant in the matter of inter-country adoptions to the Authority."

6.2. Regulation 19 of the Adoption Regulations, 2017 stipulates as under:-

"19. Follow up of progress of adopted child by Non-Resident Indian, Overseas Citizens of India and foreign prospective adoptive parents under

(1) The Authorised Foreign Adoption Agency or the Central Authority or Indian diplomatic mission or Government department concerned , as the case may be, shall report the progress of the adopted child for two years from the date of arrival of the adopted child in the receiving country, on a quarterly basis during the first year on six monthly basis in the second year, by uploading online in the Child Adoption Resource Information and Guidance System in the format provided in Schedule XII along with photographs of the child.

(2) On the basis of the progress report or in course of post-adoption home visits, If an adjustment problem of the child with the adoptive parents comes to the notice of the Authorised Foreign Adoption Agency or Central Authority or the Government department concerned in the receiving country, necessary counselling shall be arranged for the adoptive parents and for the adoptee, wherever applicable.

(3) If it is found that the child is unable to adjust in the adoptive family or that the continuance of the child in the adoptive family is not in the interest of the child, the Authorised Foreign Adoption Agency or Central Authority or the Government department in the receiving country or Indian diplomatic mission concerned, as the case may be, shall withdraw the child and provide necessary counselling and shall arrange for suitable alternate adoption or foster placement of the child in that country, in consultation with the Indian diplomatic mission and the Authority.

(4) In case of disruption or dissolution of adoption, the child shall be entitled to receive care, protection and rehabilitation through the child protection services of that country and as per Hague Adoption Convention for the Hague Adoption Convention ratified countries.

(5) The Authorised Foreign Adoption Agency or Central Authority or Government department concerned, shall contact Indian diplomatic mission to render necessary help and facilitate the repatriation of the child, if required.

(6) The Authorised Foreign Adoption Agency or Central Authority or Government department concerned, may organise annual get-together of Indian adoptees and their adoptive parents and forward a report on the event to the Authority and the Indian diplomatic missions shall facilitate such get-togethers.

(7) The prospective adoptive parents shall furnish an undertaking to the effect that they would allow personal visits of the representative of Authorised Foreign Adoption Agency, the foreign Central Authority or Government Department concerned, as the case may be, to ascertain the progress of the child with the adoptive parents or family at least for a period of two years from the date of arrival of the child in the receiving country."

7. SURROGATE CHILDREN

7.1. As on date no law exists in India on surrogacy and the guidelines issued by the Indian Council of Medical Research (ICMR) are the only set of instruments regulating surrogacy in India. The Ministry, in the light of ICMR guidelines on surrogacy, has stipulated that in case of children born to Indian surrogate mothers, the genetic parents are to be treated as the real biological parents of the surrogate child. Moreover, the third-party anonymous egg/sperm donor and the surrogate mother shall relinquish in writing all parental rights concerning the offspring and vice versa.

7.2. In November 2015, Government of India prohibited foreign couples using Indian surrogate mothers to conceive and deliver their children in India. The Bombay High Court then intervened to allow only those cases where the surrogacy medical procedure had already started when the Government announced the ban on foreign biological parents. Subsequently, ICMR vide its circular No. V.25011/119/2015-HR dated 4th November 2015, referring to MHA's circular No. 25022/74/2011.F.1(Vol.III) dated 03/11/2015 allowed only needy infertile Indian couples to opt for surrogacy of the altruistic kind without involving payment of any charges to the surrogate mother except medical expenses. MHA, vide above circular, has advised all Indian Missions/Posts not to issue visas to foreign couples visiting India for commissioning surrogacy and FRROs were advised not to allow foreigners including OCI card holders from commissioning surrogacy in India.

7.3. As and when an Indian/genetic parent(s) applies for issue of passport for a minor child born through surrogacy, the Passport Authority shall ask the applicant genetic parent(s) to submit/fulfil the following documents/conditions in order to conclusively prove/establish the biological/genetic parentage of the child:

- a) notarized Surrogacy agreement executed between the parties related to the surrogacy i.e. the genetic parent(s) and the surrogate mother;
(Ref: OM No. VI/405/4/3/2017 dated 14th September 2018)
- b) Bona fide certificate issued by the head of the Fertility Clinic/Centre where the surrogacy was carried out;
- c) Birth Certificate issued by the competent authority in the name of the genetic parents of the surrogate child; and
- d) A declaration as per Annexure-I or DNA profiling test establishing the parentage of the surrogate child issued by Government or Government recognized laboratory.

7.4. All the cases of issuance of passport to such minor children born through surrogacy to Indian or foreign genetic parents shall be processed on the basis of **pre-Police Verification** at the clinic's address.

6. PASSPORTS TO STUDENTS WHO STAY AWAY FROM THEIR PARENTS

1. MINOR PASSPORT

- (i) Students up to the age of 15 years, and
- (ii) Students between 15-18 years of age when minor passport applied for is valid up to the age of 18 years.

2. FULL VALIDITY ORDINARY PASSPORT

- (i) Students between 15-18 years of age who apply for 10 year passport
- (ii) Students above 18 years of age.

3. DOCUMENTS REQUIRED

4. POLICE VERIFICATION

1. SHORT VALIDITY ORDINARY PASSPORT OF FIVE YEARS

- i) Minor students up to the age of 15 years, and
- ii) Students between 15-18 years of age when minor passport applied for valid up to the age of 18 years.

1.1. The procedure for minor students staying away from their parents is the same as prescribed in Chapter-9 relating to issue of passports to minors. Such cases obviously fall under any category of minors defined in that chapter. However, students staying away from their parents have the option of applying for passport either at the PO in whose jurisdiction the educational institution/ hostel/ place of stay of the minor student falls or the PO in whose jurisdiction his/ her parents reside. In the former case (place away from parents), a letter from the educational institution/ hostel authorities/ local guardian certifying the student's study/ stay is required to be furnished in addition to the normal documentation.

1.2. In case the parent submits the application, normal rules for minor will apply. On the other hand, if a local guardian submits the application, parents' consent and affidavits from two responsible persons who know both the local guardian and the minor should be submitted with the application (**Appendix-11**). However, if the local guardian is one of the grandparents, the affidavits from two responsible persons are not required.

1.3. With effect from 26 June, 2018, an applicant can apply for passport from anywhere in India. This citizen-friendly initiative will enable applicants to choose the PO and thus the desired Passport Seva Kendra (PSK)/ Post Office Passport Seva Kendra (POPSK) under the PO where they wish to submit their application irrespective of whether the present residential address specified in the application form lies within the jurisdiction of the selected PO or not. Police verification, if applicable, would be conducted by the Police Station in whose jurisdiction the address mentioned in the form falls and the passport will also be printed and dispatched to the same address by the PO.

2. FULL VALIDITY ORDINARY PASSPORT:

- i) between 15-18 years of age who apply for 10 year passport, and**
- ii) students above 18 years of age.**

2.1. In case of students who are more than 15 years of age, normal rules will apply. The application can be made either at the Passport Office in whose jurisdiction the educational institution/ hostel/ place of stay of the minor student falls or the PO in whose jurisdiction his parents reside. In the former case (place away from parents), a letter from the educational institution/ hostel authorities/ local guardian certifying the student's study/ stay should be furnished in addition to the normal documentation.

2.2. With effect from 26 June, 2018, an applicant can apply for passport from anywhere in India. This citizen-friendly initiative will enable applicants to choose the PO and thus the desired Passport Seva Kendra (PSK)/ Post Office Passport Seva Kendra (POPSK) under the PO where they wish to submit their application irrespective of whether the present residential address specified in the application form lies within the jurisdiction of the selected PO or not. Police verification, if applicable, would be conducted by the Police Station in whose jurisdiction the address mentioned in the form falls and the passport will also be printed and dispatched at the same address by the PO .

3. DOCUMENTS REQUIRED

3.1. In view of the genuine difficulty being faced by the student passport applicants who are unable to produce the original documents due to these being deposited with the educational institutions, it has been decided to waive the mandatory requirement of producing originals of such documents. In such cases in the absence of original documents, the passport applicants may submit the following documents:

- (i) A certificate from the recognized educational institution where the passport applicant is studying to the effect that he/she is studying in that institution and the original certificates are retained with that recognized educational institution;
- (ii) Photocopy of such documents duly attested by the educational institution where the original certificates have been retained;
- (iii) A copy of valid identity card of the applicant issued by the educational institution where the applicant is studying.

In case of any doubt about the genuineness of any certificate submitted by the applicant, the PIA may conduct the verification of genuineness of such certificates from the issuing authorities. The decision of the PIA will be final in such cases.

4. POLICE VERIFICATION

4.1. In case of minor children below 18 years and where application is filed by local guardian (but not legal guardian), pre-PV is required.

4.2. PP forms should be obtained in duplicate for verification both at the educational institution/ stay and parents' present address. A certificate from educational institution with photograph will help police in verification. Field police verification is required from place of stay whereas only police record verification is needed at the parents' address. A police report stating that the applicant was not physically present at the parents' address should not be treated as incomplete/adverse.

4.3. There are a number of cases where the applicant left the place of study and the PVR is adverse on account of that. In such cases, PVR in respect of parents' address shall be relied upon, irrespective of jurisdiction of the PIA. Alternatively, PIAs may close the pending applications/cases enabling the students to reapply from their parents' address.

7. ISSUE OF PASSPORTS UNDER TATKAAL SCHEME

1. Introduction
2. Requirements
3. Verification Certificate
4. Additional Tatkaal Fee Exemption
5. Police Verification in Tatkaal cases
6. Walk-in applicants
7. Time frame for issue of Passport under Tatkaal
8. Excluded Categories
9. Conversion of Tatkaal application into Normal category
10. Clarifications

1. INTRODUCTION

The "Tatkaal" Scheme was introduced with effect from 1st January, 2000 for speedy issue of passports, in a time-bound manner. The scheme was further expanded and liberalized vide Notification issued vide GSR 933(E) dated 16 December, 2019 (Appendix-9). No Verification Certificate from a Gazette Officer or any proof of urgency is required for out of turn issue of passport under the 'Tatkaal' scheme.

2. REQUIREMENTS

2.1. If an applicant of the age of 18 years and above desires to obtain passport under the 'Tatkaal' Scheme, he/she shall submit **any three** of the following documents, namely:

- i. Aadhaar Card or e-Aadhaar containing the 12 digit Aadhaar number or 28-digit Aadhaar enrolment ID printed on the Aadhaar enrolment slip issued by the Unique Identification Authority of India (UIDAI);
- ii. Electors Photo Identify Card (EPIC);
- iii. Permanent Account Number (PAN);
- iv. driving licence (valid and within the jurisdiction of State of submission of applicant);
- v. bank passbook or kisan passbook or post office passbook;
- vi. student photo identity card issued by a recognised educational institution;
- vii. birth certificate issued under the Registration of Births and Deaths Act, 1969 (18 of 1969);
- viii. service photo identity card issued by State Government or Central Government, public sector undertakings, local bodies or public limited companies;
- ix. pension document such as ex-servicemen's pension book or pension payment order issued to retired Government employees, ex-servicemen's widow or dependent certificate, old age pension order;

- x. scheduled caste or scheduled tribe or other backward class certificate;
- xi. arms licence issued under the Arms Act, 1959 (54 of 1959);
- xii. ration card; and
- xiii. last passport issued (in case of reissue only).

2.2. If an applicant below the age of 18 years desires to obtain passport under the 'Tatkaal' Scheme, he/she shall submit **any two** of the following documents, namely:-

- i. Aadhaar Card or e-Aadhaar containing the 12 digit Aadhaar number or 28-digit Aadhaar enrolment ID printed on the Aadhaar enrolment slip issued by the Unique Identification Authority of India (UIDAI);
- ii. Permanent Account Number (PAN);
- iii. student photo identity card issued by a recognised educational institution;
- iv. birth certificate issued under the Registration of Births and Deaths Act, 1969 (18 of 1969);
- v. ration card; and
- vi. last passport issued (in case of reissue only).

2.3. Applicant seeking a passport under the 'Tatkaal' scheme shall submit his application along with documents specified in paragraphs 2.1. or 2.2. above as the case may be, with 'Tatkaal' fee of Rs. 2000/- (Rupees Two thousand only) in addition to the prescribed fee for issuance of passport to the concerned passport authority in India. [*Note: Tatkaal fees may be collected only after an application has been accepted for issue of passport under Tatkaal scheme.*]

2.4. **Police verification:** Post- police verification shall be done in cases where passport is issued under the 'Tatkaal' scheme. However, for some ineligible applicants, pre-Police verification might be required.

2.5. In cases where the applicant has paid the 'Tatkaal' fee and submitted documents specified in paragraphs 2.1. or 2.2. above, as the case may be, the passport shall be issued within three working days from the date of submission of application.

2.6. For re-issue cases also, the documents mentioned in paragraphs 2.1. or 2.2. are required.

3. VERIFICATION CERTIFICATE

3.1. No Verification Certificate is required to be submitted from a Gazetted Officer by the applicant applying for a passport under the 'Tatkaal' Scheme.

4. ADDITIONAL TATKAAL FEE EXEMPTION

4.1 Additional Tatkaal Fee as may be fixed by the Ministry of External Affairs is payable with every application for issue of a passport under this scheme. The present fees are given at GSR 731(E) dated 28/09/2012 effective from 01/10/2012 (**Appendix-8**).

4.2 Additional Tatkaal fees are exempted in following cases:-

- (i) Applicant going for specialized medical treatment and consultation abroad (proof required for fee exemption) and an attendant;
- (ii) Death abroad of applicant's spouse, father, mother, son/daughter and their spouse, grandchild, brother or his spouse and sister or her spouse;
- (iii) Diplomatic/Official passport holders (except short validity passports issued to cultural troupe/delegation) who apply for ordinary passport in lieu thereof within three years of expiry.

Note: Tatkaal fees may be collected only after an application has been accepted for issue of passport under Tatkaal scheme.

5. ADVERSE PVR DUE TO ABSENCE OF TATKAAL PASSPORT HOLDERS

5.1. In quite a few cases, 'Tatkaal' applicants on receipt of passport on post-PV basis, proceed abroad for employment/studies, leaving the PV process incomplete. Presence of the applicant during PV is now not essential for confirmation of identity including nationality etc. by the police. , it is not possible to exempt such cases from PV and their PVR remains ADVERSE. Missions/Posts may therefore advise such passport holders to return to India and complete PVR procedure. No passport services be given to such persons with Adverse PVRs. The original PIA in India that issued the Tatkaal passport shall facilitate conduct of fresh PV in such cases on application by the Tatkaal passport holder.

6. WALK-IN APPLICANTS

Certain categories of applicants such as senior citizens, minors and differently-abled applicants are required to submit their applications online and obtain an Application Registration Number (ARN), and then visit the nearest PSK during prescribed hours for which no prior appointment is required. Applicants should also refer to advisory, if any, issued by the concerned Passport Offices from time to time. Government may also offer such walk-in facility to applicants who are affected due to natural calamity etc.

7. TIME FRAME FOR ISSUE OF PASSPORTS UNDER TATKAAL DURING PV

Normally, Tatkaal passport should be issued in 3 working days, excluding date of appointment as listed in the Citizens Charter. This timeframe would apply to both Fresh and Reissue cases.

8. EXCLUDED CATEGORIES

8.1. Tatkaal passport cannot be issued to persons falling in the following categories:-

- i. Lost/stolen cases (in exceptional cases where PVR is clear, PIAs may accept lost cases);
- ii. Fresh issue of passports to citizens of India by Registration/Naturalization (granted citizenship by MHA);
- iii. Applicants repatriated from abroad at Government cost;
- iv. Applicants deported to India on passport or EC;
- v. Change in name;
- vi. Change in sex;
- vii. Change in appearance;
- viii. Change/correction of date of birth or place of birth;
- ix. Change of father/mother/spouse name ;
- x. Change in signature;
- xi. Persons of Naga origin including minors (below 18 years);
- xii. Persons of Naga origin residing outside Nagaland;
- xiii. Persons of J&K origin including minors (below 18 years);
- xiv. Indian children adopted by Indian parents;
- xv. Indian children adopted by foreign parents;
- xvi. Minors whose Parents are divorced or separated;
- xvii. Renewal of Short Validity Passport;
- xviii. Passport damaged beyond recognition cases.
- xix. Applicants who attract section 6(2)(e) or 6(2)(f)
- xx. Applicants whose names figure in PAC or who have been habitual losers or who had earlier travelled on forged or fake passports.

Note: When an application is submitted for re-issue of passport after six years of expiry of previous passport in an Indian Mission/Post abroad, the same cannot be processed on Tatkaal basis.

9. CONVERSION OF TATKAAL APPLICATION INTO NORMAL CATEGORY

10.1. Application submitted under 'Tatkaal' category can be converted to Normal, if the applicant does not furnish the documents specified or the application is not eligible for 'Tatkaal'. Since 'Tatkaal' fee is collected at Passport Seva Kendras (PSK) only after verification of eligibility for 'Tatkaal', there is no question of reimbursement of additional 'Tatkaal' fee collected. However, CPO officers in charge of PSK shall ensure that 'Tatkaal' appointment process is not misused by Normal applicants by intentionally applying for 'Tatkaal' without being eligible for this service.

10.2. Normal cases requiring no-PV or post-PV may be converted into 'Tatkaal' by DPO/APO in charge of PSK on payment of additional fees.

10. CLARIFICATIONS

11.1. 'Tatkaal' applications are accepted through online filing system only. An applicant has to first file online application, print out a copy of application so filed, visit the PSK on the date of appointment (automatically generated at the time of online filing) with all original documents & photocopies thereof and complete the application submission formalities.

11.2. Full validity passport is issued against 'Tatkaal' application.

11.3. In Lost/stolen cases, DRILS and Issue of Loss of Passport circular procedure have to be completed. Hence, it is not possible for PSK to accept 'Tatkaal' applications in respect of Lost/Stolen passports. In exceptional cases where PVR is CLEAR with photo, PIAs may accept 'Lost' cases under 'Tatkaal'.

11.4. Applications for re-issue of passports in lieu of damaged passport can be considered by the PIA under 'Tatkaal', only in case of first damage or in case of poor quality of passport booklets such as cover/stitching coming off. It is absolutely essential that personal particulars, including photograph, clear PVR are verified in PRIDE or from original records before a passport is re-issued in such cases. However, if the photograph on the damaged passport is beyond clear recognition, such application should not be accepted under 'Tatkaal' except when two or more valid photo identity documents are submitted. In such cases, it should be verified that photo in PRIDE matches with that of applicant.

Note: It may be noted that there have been many cases of identity theft in recent years by furnishing tampered photocopies of passports by applicants who report completely damaged passports.

11.5. Passports issued by Missions/Posts abroad are normally re-issue cases. In Missions abroad where passport printing facilities are available, re-issue cases can be considered under 'Tatkaal' scheme, provided the prescribed additional fee is paid in all such out of turn cases. Passports may be renewed by Indian Missions/Posts abroad even in case an 'Adverse' PVR exists in the system on account of the absence of the 'Tatkaal' passport holder during police verification at the address in India.

8. MISCELLANEOUS SERVICES ON PASSPORTS

1. General
2. Police Clearance Certificate (PCC)
3. Certificates in lieu of passports under submission
4. Surrender of Indian Passport
5. Renunciation Certificate

1. GENERAL

1.1. Passport Authorities are required to perform certain miscellaneous services which flow from the issue of passports. A number of these services are performed to assist our nationals who are required to comply with specific requirements in foreign countries. Most of these services are of notarial nature and are described in detail in the Consular Manual with which Passport Authorities should also familiarize themselves. This chapter is more relevant to Passport Authorities abroad although some services are performed by Passport Authorities in India as well.

1.2. The miscellaneous services on passports are normally rendered on the same day. The procedure regarding grant of miscellaneous services on the passport is similar to the one outlined in previous chapters, except police verification. Each time an application is filed for any passport service, Index, PAC and PRIDE must be checked before granting the service. The service should be granted only if such internal checks do not find anything adverse. It should not be assumed that because a passport has already been granted to the person, there is nothing against the passport holder that may attract the provisions of Sections 10 (3) and/or 12 of the Passports Act, 1967.

2. POLICE CLEARANCE CERTIFICATE (PCC)

A. PCC TO INDIAN PASSPORT HOLDERS

2.1. Police Clearance Certificate is not strictly a passport service. An application for PCC shall be accepted only from applicants holding a valid Indian passport and not with reissue application. PCC/Character Certificate (CC) is required by many foreign Governments for considering applications for resident status, employment or long term visa or for immigration. PIAs may grant Character Certificate or PCC to Indian passport holders, subject to Index /PAC/PRIDE check and fresh CLEAR PVR.

2.2. For all applications for PCC submitted in India and in the Missions/ Posts abroad, **a fresh police report should be called for and PCC/CC should be issued only on receipt of a CLEAR police report.** Missions/Posts abroad that are integrated to the PSP System may generate police report through DPHq model and

other Missions/ Posts abroad may adopt the same route of getting a PVR through concerned Passport Office.

2.3. Details regarding issue of PCC to an applicant are available in the PRIDE database and these details are also accessible to all the Passport Issuing Authorities (PIA) in India and abroad. There is no requirement of making manual endorsement regarding issue of PCC in the passport of an applicant and entries to this effect will only be made in the PRIDE database so that it could be verified by any PIA online. If an applicant while applying for PCC is providing the details which are different to details available in the passport already held by him/her, instead of processing the PCC application further, the Passport Authority should ask such an applicant to first apply for re-issue of passport with changed/current particulars as provided in PCC application form and a fresh Police Verification report may be generated. Only after re-issue of passport with changed/existing particulars, the PCC application against such reissued passport may be processed further for the issue of PCC. [VI/405/4/13/2016 dated 21st December 2016].

2.4. The PCC application form has been revised to clearly show the purpose for which PCC is being issued to Indian passport holders. An applicant may apply for PCCs to be submitted to foreign Missions/Governments for purposes of citizenship/immigration, visa, residence/work permit, education/research, etc. The PCC application form has a pull-down Menu from which an applicant has to choose the purpose for which PCC is being sought. The PCC form also requires the applicant to declare the country for which PCC is required. PCC may be issued only for purpose and mentioning the country for which it is sought.

2.5. In the case of issue of PCCs to wards of officials who hold/held Diplomatic/Official Passports and who stay/ stayed with their parents abroad in Missions/Posts abroad, it has been decided by the Ministry that the following procedure shall be followed by PIAs in India and abroad:

- a) Passport Issuing Authorities (PIAs) are authorised to issue PCC to such applicants if there is no adverse record against them without the need for fresh Police Verification (PV). If application for PCC is submitted at a different Mission/Post/PIA, it may be issued after taking clearance from the concerned Indian Mission/Post where the applicant stayed during the period for which the PCC is required.
- a) If applied in India in respect of stay abroad, PCC may be issued after obtaining clearance from the Mission/Post abroad where the applicant stayed during the period for which PCC is required.
- c) PCC on Diplomatic/Official passports may not be issued unless clearance from concerned Administration Section in the Ministry is submitted.

B. PCC TO FOREIGNERS

2.6. Foreigners who have previously resided in India may also on occasion apply for Police Clearance Certificate for obtaining visas/residence permit/employment for certain other countries which require such documentation. Indian Missions/Posts abroad can issue such certificates in the prescribed form if such foreigners do not figure in the Black List or warning circulars.

2.7. In case of OCI/PIO Card holders, the PRIDE database should be checked in case any Indian passport had been held and whether the same has been surrendered. It should also be checked that there was 'CLEAR' PV in respect of the last Indian passport held.

2.8. In case there is any adverse information against the applicant, a reference may be made to MHA (Foreigners Division) and PCC may be issued only on receipt of clearance.

2.9. Foreigners resident in India should not apply for PCC to the Passport Authority. The Ministry of Home Affairs (MHA), vide letter no. 25022/42/2009-F.I dated 12th April 2019 has conveyed that FRROs/FROs may issue Police Clearance Certificate (PCC) to those foreign nationals who are staying in India or have previously resided in India but not registered with FRROs/FROs for the purpose of obtaining visa for certain other countries. PCC in such cases may be issued, after due enquiry and verification of the records of concerned police station, through the existing online mode available on www.indianfrro.gov.in.

2.10. Foreigners who visited India on ITEC/ICCR training/scholarships may be issued PCCs after obtaining confirmation from the DPA-III Division of Ministry of External Affairs and confirmation of due completion of course from the concerned Institute/ICCR.

2.11. Foreign diplomats and children of foreign diplomats, including those who may have been born in India or posted in India may be issued PCC once confirmation of their particulars and tenure is obtained from the concerned Territorial Division of the Ministry of External Affairs.

2.12. The Ministry of Home Affairs (MHA), vide letter no. 25022/05/2009-F.IV dated 27th March 2019 has conveyed that since Tibetans are treated at par with foreigners, the provisions contained in para 22.16 of the Visa Manual will also apply to Tibetans. Hence, the following instructions may be followed in this regard:

(i) In the case of a Tibetan staying abroad seeking a Police Clearance Certificate (PCC) with reference to his/her earlier stay in India, the Indian Mission/Post concerned may issue PCC subject to the condition that the Tibetan concerned does not figure in the negative list or warning circulars and does not have any adverse endorsement about his/her previous stay in India on his/her Certificate of Identity/passport.

(ii) In the case of a Tibetan residing in India seeking a Police Clearance Certificate (PCC) with reference to his/her stay in India, the FRRO/FRO concerned may issue PCC subject to usual checks. Such PCC may be issued by FRRO/FRO

concerned as per the format enclosed at Annexure-II.

C. PCC IN PSK

2.13. PSK will generate PP form and escalate the case to PO, after checking the passport details. PSKs shall not retain the passport, unless required due to impounding/ revocation/detection of double passport/adverse PV etc. When clear PV is received, PO may issue the PCC. PCC may be despatched by mail and/or Speed Post. In cases where criminal proceedings are pending, no PCC may be issued. As PCC is mainly a police clearance, registered criminal FIRs would also render an applicant ineligible for PCC unless the police give a CLEAR report.

3. CERTIFICATES IN LIEU OF PASSPORTS UNDER SUBMISSION

3.1. When an Indian citizen applies for duplicate passport (in lieu of lost/damaged passport) or when a passport is under submission to the Mission/ Post or passport is impounded/revoked and the Mission/ Post is in possession of the same, on request, a certificate to that effect that the passport is under submission to the Mission/ Post may be issued. The certificate should invariably contain the date up to which it is valid. If the applicant approaches the Mission again for another certificate on expiry of the validity of the certificate, it should be retained in the custody of the Mission/ Post and a new certificate be issued. Whenever, a passport is re-issued, the certificate should be retrieved and cancelled.

4. INDIAN PASSPORT SURRENDER CERTIFICATE

4.1. Indian nationals are required to surrender their passports on acquisition of foreign nationality. Such passports when surrendered should be cancelled and returned to the passport holder, along with the Surrender Certificate. It should be ensured that DRILS entry with remarks "Acquired..... (name of the country) citizenship" be made in the PRIDE database. For more details on Surrender Certificate and Renunciation Declaration, Chapter 29 on 'Citizenship related Issues' may be referred to.

5. RENUNCIATION OF INDIAN CITIZENSHIP AND RENUNCIATION CERTIFICATE

5.1. Indian nationals are not permitted to hold dual citizenship as per law. On acquiring foreign citizenship/foreign passport, an Indian citizen is expected to renounce his Indian citizenship as per Section 8(1) of the Citizenship Act, 1955 and a Renunciation Certificate, as in **Appendix-17** may be issued to him for applying for an Overseas Citizen of India (OCI) Card. A fee of Rs. 5,000 in India and Rs. 7,000 abroad is fixed for issue of Renunciation Certificate. For more details related to renunciation of Indian citizenship, MHA which is the nodal Ministry, may be referred to.

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PASSPORTS FOR NAMED FOREIGN COUNTRY

1. Introduction
2. India-Bangladesh Passport
3. India-Sri Lanka Passport
4. India-Sri Lanka Passport for Repatriates

1. INTRODUCTION

1.1. Prior to 1978, India had issued passports and travel documents such as India-Pakistan Passport, Certificate of Travel between India and Bangladesh, India-Sri Lanka Passport and India-Sri Lanka Passport (for Repatriates). However, none of these documents had legal basis under the Passports Act of 1967. This lacuna was removed through the Passports (Amendment) Act, 1978 which amended Section 5 of the original Act and introduced the concept of 'Named Foreign Country' for issuing a passport for certain specific countries. Under Rule 7 of the Passports Rules, two countries were named for the purpose of the extension of Sub-section I of Section 5 of the Act, namely (i) Bangladesh; and (ii) Sri Lanka.

1.2. Till recently, three types of passports - India-Bangladesh Passport, India-Sri Lanka Passport and India-Sri Lanka Passport (for Repatriates) have been in use. These passport booklets are handwritten. Since, ICAO has issued guidelines phasing out handwritten passports with effect from 1st April 2010 and phasing out the existing ones with effect from 24th November 2015, 'India-Bangladesh' and 'India-Sri Lanka' passports are no longer being issued. The earlier provisions relating to the issue of such passports are described in the succeeding paragraphs.

2. INDIA-BANGLADESH PASSPORT

2.1. India-Bangladesh Passport was introduced vide Gazette notification 397(E) dated 30th August, 1972. The Central Government delegated authority to issue this passport to various State Governments bordering Bangladesh and District authorities in some of these states [GSR 767(E) dated 9th November 1984].

2.2. India-Bangladesh Passports were valid for a period of three years under the Passports Rules. Format of the passport booklet is at Schedule III, Part III of the Passports Rules. Issue of **India-Bangladesh passport was discontinued with effect from 15/11/2013** and the existing passports would remain valid till their expiry. However, Ministry of External Affairs permitted issue of short validity Travel Certificates to officials of Indian states and to the Indian citizens in the erstwhile Indian enclaves in Bangladesh, at the time of exchange of enclaves by the two countries in 2015.

3. INDIA-SRI LANKA PASSPORTS

3.1. Unlike India-Bangladesh passports, India-Sri Lanka passports were in vogue much before the promulgation of the Passports Act, 1967. These passports were earlier being issued by the Mission in Colombo and the Post in Kandy and are no longer being issued.

3.2. Most Indian origin stateless persons living in Sri Lanka have been conferred with Sri Lankan citizenship by an Act in 2003. The Indian Mission/Posts in Sri Lanka are now issuing ordinary MRP passports to the remaining Indian origin persons in lieu of India-Sri Lanka passport. The specimen application form is at Schedule III Part I of the Passports Rules, 1980.

4. INDIA-SRI LANKA PASSPORTS FOR REPATRIATES

4.1. In terms of Schedule II, Part I of the Passports Rules, 1980, this passport was being issued only to those persons who were granted Indian Citizenship under India-Sri Lanka Repatriation Agreements of 1964 and 1974. This passport was issued by the Mission/ Posts in Sri Lanka on gratis basis. The issuance of this passport in India was terminated in June 1991 [Ref. Ministry's circular No. VI/125/25/90 dated 06/06/1991].

CHAPTER – 10

PASSPORTS FOR HAJ PILGRIMAGE

- 1. Introduction of Haj Passport**
- 2. Normal Passport on Priority to Haj Applicants**
- 3. Facilitation for Haj Pilgrims**
- 4. Opening of Special Counters**
- 5. Appointment of Nodal Officers**
- 6. Reservation of appointments for intending Haj pilgrims**

1. Introduction

1.1. Consequent upon the decision taken by the Saudi Arabian authorities that the foreign pilgrims must possess international passports, the Government of India introduced a special scheme for issue of separate Haj passports to Indian Haj pilgrims in the year 2009 [Ref. Gazette Notification No. GSR-390(E) dated 04/06/2009]. **Issue of separate Haj passports has since been discontinued.**

2. Issue Of Ordinary Passport On Priority To Haj Applicants

2.1. Since 2012, MEA/Haj Committee of India made it compulsory for aspiring Haj pilgrims to possess international passport with at least one year validity to be eligible for applying for selection of Haj pilgrimage. Prior to the beginning of the Haj season, the Haj Committee of India makes available the Haj application forms and also announces the last date for submission of applications with valid Indian passports. All Haj applicants must have MRP passports.

3. Facilitation For Haj Pilgrims

3.1. To avoid last minute rush for passports by Haj applicants, all concerned Passport Offices shall run a campaign December/ January every year in coordination with the respective State Haj Committee and the Haj Committee of India advising intending Haj pilgrims to apply for passport well in time. The Ministry also regularly issues directions to all the Passport Offices (PO) to accord high priority in the processing of passport applications of prospective Haj pilgrims and to ensure timely issuance of passports in such cases upon completion of requisite documentation, police verification and other formalities. Aspiring Haj pilgrims can, therefore, apply for ordinary passports under the normal course throughout the year without the earlier practice of furnishing of Haj cover number or letter from Haj Committee.

4. Opening of Special Counters

4.1. PO who might face a rush of applications from aspiring Haj pilgrims, should open special counters for acceptance of applications, in liaison with the State Haj Committee, whose authorized volunteers can render assistance in such counters.

5. Appointment of Nodal Officers

5.1. PO may, at their discretion, nominate nodal officers every year during the rush period to ensure that passports to Haj pilgrims are issued well before the deadline.

6. Reservation of appointments for intending Haj pilgrims

6.1. For intending Haj pilgrims, PO shall endeavour to arrange walk-in appointments in case of limited numbers. In case of large numbers, adequate number of appointment slots should be reserved for such applicants.

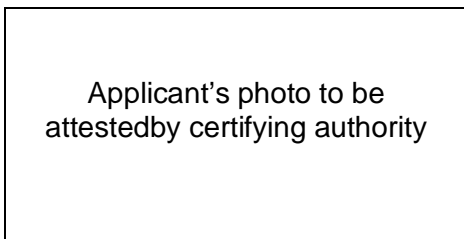
ANNEXURE 'A'

ALL CENTRAL GOVERNMENT EMPLOYEES, STATE GOVERNMENT EMPLOYEES, EMPLOYEES OF STATUTORY BODIES AND PUBLIC SECTOR UNDERTAKINGS, THEIR SPOUSE AND CHILDREN UPTO THE AGE OF 18 YEARS ARE REQUIRED TO PRODUCE AN IDENTITY CERTIFICATE (STRIKE OUT OPTIONS THAT ARE NOT APPLICABLE) (To be given in Duplicate on Original Stationery)

Certified that Shri/Smt/MissSon/Wife/Daughter of Shri, who is an Indian national, is a temporary/permanent employee of (office address) from (date)and is at present holding the post ofShri/Smt/Miss....., who is also an Indian national, is/are a dependent family member(s) of Shri/Smt and his/her identity is certified. This Ministry/Department/Organization has no objection to his/her acquiring Indian Passport. I, the undersigned, am duly authorized to sign this Identity Certificate. I have read the provisions of Section 6(2) of the Passports Act, 1967 and certify that these are not attracted in case of this applicant. I recommend issue of an Indian Passport to him/her. It is certified that this organization is a Central/State Government/Public Sector undertaking/Statutory body. The Identity Card Number of Shri/Smt/Miss (employee).....is.....

Ref No :

Date :



TelNo.

Name, Designation, Address and

.....
.....
.....

ANNEXURE 'C'

SPECIMEN DECLARATION BY APPLICANT'S PARENT OR GUARDIAN FOR ISSUE OF PASSPORT TO MINOR WHEN ONE PARENT HAS NOT GIVEN CONSENT

(On plain paper)

I/We (name of the parent / guardian applying for passport) resident of

..... solemnly declare and affirm as under :-

(I) That I/we am/are the mother/father/parents/guardians of (name of the minor child) who is minor and on whose behalf I/we have made an application for his/her passport.

(II) Signature/consent of Shri/Smt.....(name of the father/mother) who is the father/mother/parents of the child has not been obtained by me for the following one or more reasons:-

(a) The father/mother of the minor applicant is travelling abroad/is on sea/travelling in India and unable to file consent; or/and

(b) The father/mother is separated and no court case is pending before the court regarding divorce/marital dispute/custody of the child; or/and

(c) The father/mother has deserted and the whereabouts are not known; or/and

(d) There is an ongoing court case for divorce/custody of the minor child and the court has not given any order prohibiting the issue of passport without the consent of father/mother; or/and (e) There is a court order for the custody of the minor child with a parent who is applying for the passport and consent of other parent (who has visitation rights) is not available or he/she is refusing to give consent/the other parent is not availing the visitation rights and his/her whereabouts are not known; or/and

(f) The parents are judicially separated and custody of the minor child has not been defined in the court's decree; or/and

(g) The father/mother of (name of minor child) has deserted me after the conception/delivery. That (name of minor child) is exclusively under my care and custody since separation/delivery.

(III) That I/we only am/are taking care of (name of the minor child) and he/she is exclusively in my/our physical custody.

(IV) I/we also affirm that in the case of a court case arising due to issue of a passport to the minor child (name of the minor child), I/we would be solely responsible for defending the case and not the Passport Issuing Authority.

Signature of the parent(s)/
Guardian(s) applying for the Passport

Date:

Place:

Name(s):

Aadhaar Card No: or

Voter ID Card No:..... or

Passport no:

ANNEXURE 'D'
SPECIMEN DECLARATION BY APPLICANT'S PARENT(S) OR GUARDIAN FOR ISSUE OF PASSPORT TO
MINOR (On plain paper)

I/we
resident of

..... hereby affirm that the particulars given below are of.....
..... (name of the child), son/daughter of
Shri and Smt.
..... of whom I/we am/are the
parents /guardian.

1. Particulars of minor child

Name :

Date of birth :

Place of birth :

2. The minor child mentioned above is a citizen of India.

3. I/We undertake the entire responsibility for his/her expenses.

4. I/we solemnly declare that he /she has not lost, surrendered or been deprived of his/her citizenship of India and that the information given in respect of him/her in this application is true.

5. It is also certified that I/we am/are holding /not holding valid India passport(s).

Place:

Date:

Signature of father

Signature of mother

Passport No.: or
Aadhaar Card No.: or
Voter ID Card No.:

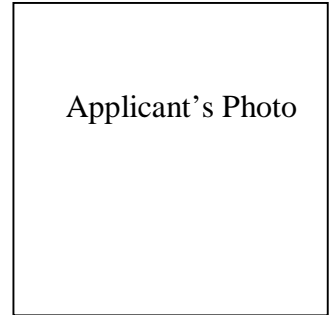
Passport No.: or
Aadhaar Card No.: or
Voter ID Card No.:

Signature of legal guardian(s)

Passport No.: or
Aadhaar CardNo.: or
Voter ID Card No.:

ANNEXURE 'G'
MINISTRY/DEPARTMENT/OFFICE OF

No..... Dated



(No Objection Certificate issuing officer should attest the photograph of the applicant with his/her signature and rubber stamp in such a way that half the signature and stamp appear on the photograph and half on the certificate.)

NO-OBJECTION CERTIFICATE

Shri/Smt/Miss.s/o
....., who is an Indian national, is employed in
this office as from
..... till date. This Ministry/Department/Office has no objection to his/ her obtaining a passport.
(Signature of Controlling/Administrative authority)
Telephone/Fax/email

Note:-

- (a) The officer authorized to issue NOC should sign with name and stamp and must provide contact details for verification by Passport Authority.
- (b) NOC will be valid for six months from date of issue.

ANNEXURE 'H'

PRIOR INTIMATION (PI) LETTER FROM THE GOVERNMENT/PSU/STATUTORY BODY EMPLOYEE TO HIS/HER ADMINISTRATIVE OFFICE FOR SUBMISSION OF PASSPORT APPLICATION FOR HIMSELF/HERSELF (ON PLAIN PAPER)

Place:

Date:

[To be addressed to the Controlling/Administrative Authority with full postal address]

.....
.....
.....
.....

PIN:

Tel:.....

Fax:

Email:

Subject: Prior Intimation for Submission of Passport Application.

Sir/Madam,

I hereby give prior intimation that I am applying for an ordinary Passport to Regional Passport Office,
..... This is for your kind information and record.

Yours faithfully,

Employer Signature:

.....

Signature:

Name:

.....

Date of Birth:

Employer Office Seal:

Designation:

.....

Name of Office Where Working:

.....

Name of Organisation:

.....

Address of Present Office:

.....

Residential Address:

.....

.....

.....

Note: The Prior Intimation Letter (under this Annexure) shall be accepted by the Passport Authority for processing the passport application if the same bears the signature and seal of the employer of the applicant acknowledging its receipt.

ANNEXURE 'I'
DECLARATION BY APPLICANT GENETIC PARENT(S) FOR ISSUE OF PASSPORT TO THE CHILD BORN
THROUGH SURROGACY
(On Plain Paper)

I/we.....(name of the genetic parent(s)
applying for passport of minor child) solemnly declare and affirm the following:

1. That I/We am/are the genetic mother/father/parents of
.....(name of the minor child) who was born through surrogacy, and who is a
minor and on whose behalf I/We have made an application for his/her passport.
2. That I/we only am/are taking care of (name of the minor
child) and he/she is exclusively in my/our physical custody since his/her birth.
3. I/We also affirm that in the case of any complaint or any litigation (civil/criminal) arising due to issue of a
passport to (name of the minor child) born through
surrogacy, I/We shall be solely responsible for defending the case and not the Passport Issuing Authority.

Date:

Place:

Signature & Address of the Parent (s)/
Guardian(s) applying for the Passport

THE PASSPORTS ACT, 1967
[Act No. 15 of 1967 dated 24th. June, 1967]
[updated version available at

1. Short title and extent
2. Definitions
3. Passport or travel document for departure from India
4. Classes of passports and travel documents
5. Applications for passports, travel documents, etc., and orders thereon
6. Refusal of passports, travel documents. etc.
7. Duration of travel document
8. Extention of period of passport
9. Conditions and forms of passports and travel documents
10. Variation, impounding and revocation of passports and travel documents
11. Appeals
12. Offences and penalties
13. Power to arrest
14. Power of search and seizure
15. Previous sanction of Central Government necessary
16. Protection of action taken in good faith
17. Passport and travel document to be property of Central Government
18. Passports, etc. not to be issued to persons who cannot emigrate under Act 7 of 1922
19. Passports and travel documents to be invalid for travel to certain countries
20. Issue of passports and travel documents to persons who are not citizens of India
21. Power to delegate
22. Power to exempt
23. Act to be in addition to certain enactments
24. Power to make rules
25. Change of short title of Act 34 of 1920
26. Savings as to certain passports and applications
27. Repeal and saving-

THE PASSPORTS ACT, 1967

An Act to provide for the issue of passports and travel documents, to regulate the departure from India of citizens of India and for other persons and for matters incidental or ancillary thereto.

Be it enacted by Parliament in the Eighteenth Year of the Republic of India as follows: -

1. Short title and extent-

- (1) This Act may be called the Passports Act, 1967.
- (2) It extends to the whole of India and applies also to citizens of India who are outside India.

2. Definitions-

In this Act, unless the context otherwise requires,

- (a) "departure", with its grammatical variations and cognate expressions, means departure from India by water, land or air;
- (b) "passport" means a passport issued or deemed to have been issued under this Act;
- (c) "passport authority" means an officer or authority empowered under rules made under this Act to issue passports or travel documents and includes the Central Government;
- (d) "Prescribed" means prescribed by rules made under this Act;

(e) "travel document" means a travel document issued or deemed to have been issued under this Act.

3. Passport or travel document for departure from India-

No person shall depart from, or attempt to depart from, India unless he holds in this behalf a valid passport or travel document.

Explanation.- For the purposes of this section,-

(a) "passport" includes a passport which having been issued by or under the authority of the Government of a foreign country satisfies the conditions prescribed under the Passport (Entry into India) Act, 1920 in respect of the 34 of 1920 class of passports to which it belongs;

(b) "travel document" includes a travel document which having been issued by or under the authority of the Government of a foreign country satisfies the conditions prescribed.

4. Classes of passports and travel documents-

(1) The following classes of passports may be issued under this Act, namely: -

(a) ordinary passport;

(b) official passport;

(c) diplomatic passport.

(2) The following classes of travel documents may be issued under this Act, namely: -

(a) emergency certificate authorising a person to enter India;

(b) certificate of identity for the purpose of establishing the identity of person;

(c) such other certificate or document as may be prescribed.

(3) The Central Government shall, in consonance with the usage and practice followed by it in this behalf, prescribe the classes of persons to whom the classes of passports and travel documents referred to respectively in sub-section (1) and sub-section (2) may be issued under this Act.

5. Applications for passports, travel documents, etc., and orders thereon-

[(1) An application for the issue of a passport under this Act for visiting such foreign country or countries (not being a named foreign country) as may be specified in the application may be made to the passport authority and shall be accompanied by ²[Such fee as may be prescribed to meet the expenses incurred on special security paper, printing, lamination and other connected miscellaneous services in issuing passports and other travel documents].

Explanation.- In this section, "named foreign country" means such foreign country as the Central Government may, by rules made under this Act, specify in this behalf.

(1A) An application for the issue of-

(i) a passport under this Act for visiting a named foreign country; or

(ii) a travel document under this Act, for visiting such foreign country or countries (including a named foreign country) as may be specified in the application or for an endorsement on the passport or travel document referred to in this section, may be made to the passport authority and shall be accompanied by such fee (if any) not exceeding rupees fifty, as may be prescribed.

(1B) Every application under this section shall be in such form and contain such particulars as may be prescribed.]

(2) On receipt of an application ³[under this section], the passport authority, after making such inquiry, if any. as it may consider necessary, shall, subject to the other provisions of this Act, by order in writing,-

- (a) issue the passport or travel documents with endorsement, or, as the case may be, make on the passport or travel document the endorsement, in respect of the foreign country or countries specified in the application; or
- (b) issue the passport or travel document with endorsement, or, as the case may be, make on the passport or travel document the endorsement, in respect of one or more of the foreign countries specified in the application and refuse to make an endorsement in respect of the other country or countries; or
- (c) refuse to issue the passport or travel document or, as the case may be, refuse to make on the passport or travel document any endorsement.

(3) Where the passport authority makes an order under clause (b) or clause (c) of sub-section (2) on the application of any person, it shall record in writing a brief statement of its reasons for making such order and furnish to that person on demand a copy of the same unless in any case the passport authority is of the opinion that it will not be in the interests of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country or in the interests of the general public to furnish such copy.

6. Refusal of passports, travel documents. etc.-

(1) Subject to the other provisions of this Act, the passport authority shall refuse to make an endorsement for visiting any foreign country under clause (b) or clause (c) of sub-section (2) of section 5 on any one or more of the following grounds, and no other ground, namely: -

- (a) that the applicant may, or is likely to, engage in such country in activities prejudicial to the sovereignty and integrity of India;
- (b) that the presence of the applicant in such country may, or is likely to, be detrimental to the security of India;
- (c) that the presence of the applicant in such country may, or is likely to, prejudice the friendly relations of India with that or any other country,
- (d) that in the opinion of the Central Government the presence of the applicant in such country is not in the public interest.

(2) Subject to the other provisions of this Act, the passport authority shall refuse to issue a passport or travel document for visiting any foreign country under clause(c) of sub-section (2) of section 5 on any one or more of the following grounds, and on no other ground, namely: -

- (a) that the applicant is not a citizen of India.,
- (b) that the applicant may, or is likely to, engage outside India in activities prejudicial to the sovereignty and integrity of India.,
- (c) that the departure of the applicant from India may, or is likely to, be detrimental to the security of India;
- (d) that the presence of the applicant outside India may, or is likely to, prejudice the friendly relations of India with any foreign country;
- (e) that the applicant has, at any time during the period of five years immediately preceding the date of his application, been convicted by a court in India for any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than two years;
- (f) that proceedings in respect of an offence alleged to have been committed by the applicant are pending before a criminal court in India;
- (g) that a warrant or summons for the appearance, or a warrant for the arrest, of the applicant has been issued by a court under any law for the time being in force or that an order prohibiting the departure from India of the applicant has been made by any such court;
- (h) that the applicant has been repatriated and has not reimbursed the expenditure incurred in connection with such repatriation;

(i) that in the opinion of the Central Government the issue of a passport or travel document to the applicant will not be in the public interest.

7. Duration of travel document -

A passport or travel document shall, unless revoked earlier, continue in force for such period as may be prescribed and different periods may be prescribed for different classes of passports or travel documents or for different categories of passports or travel documents under each such class:

Provided that a passport or travel document may be issued for a shorter period than the prescribed period-

- (a) if the person by whom it is required so desires; or
- (b) if the passport authority, for reasons to be communicated in writing to the applicant, considers in any case that the passport or travel document should be issued for a shorter period.

8. Extension of period of passport-

Where a passport is issued for a shorter period than the prescribed period under section 7, such shorter period shall, unless the passport authority for reasons to be recorded in writing otherwise determines, be extendable for a further period (which together with the shorter period shall not exceed the prescribed period) and provision of this Act shall apply to such extension as they apply to the issue thereof.]

9. Conditions and forms of passports and travel documents-

The conditions subject to which, and the form in which, a passport or travel document shall be issued or renewed shall be such as may be prescribed:

Provided that different conditions and different forms may be prescribed for different classes of passports or travel documents or for different categories of passports or travel documents under each such class:

Provided further that a passport or travel document may contain in addition, to the prescribed conditions such other conditions as the passport authority may, with the previous approval of the Central Government, impose in any particular case.

10. Variation, impounding and revocation of passports and travel documents -

(1) The passport authority may, having regard to the provisions of sub-section (1) of section 6 or any notification under section 19, vary or cancel the endorsements on a passport or travel document or may, with the previous approval of the Central Government, vary or cancel the conditions (other than the prescribed conditions) subject to which a passport or travel document has been issued and may, for that purpose, require the holder of a passport or a travel document, by notice in writing, to deliver up the passport or travel document to it within such time as may be specified in the notice and the holder shall comply with such notice.

(2) The passport authority may, on the application of the holder of a passport or a travel document, and with the previous approval of the Central Government also vary or cancel the conditions (other than the prescribed conditions) of the passport or travel document.

(3) The passport authority may impound or cause to be impounded or revoke a passport or travel document,-

- (a) if the passport authority is satisfied that the holder of the passport or travel document is in wrongful possession thereof;
- (b) if the passport or travel document was obtained by the suppression of material information or on the basis of wrong information provided by the holder of the passport or travel document or any other person on his behalf;

[Provided that if the holder of such passport obtains another passport the passport authority shall also impound or cause to be impounded or revoke such other passport]

(c) if the passport authority deems it necessary so to do in the interests of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country, or in the interests of the general public;

(d) if the holder of the passport or travel document has, at any time after the issue of the passport or travel document, been convicted by a court in India for any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than two years;

(e) if proceedings in respect of an offence alleged to have been committed by the holder of the passport or travel document are pending before a criminal court in India.

(f) if any of the conditions of the passport or travel document has been contravened;

(g) if the holder of the passport or travel document has failed to comply with a notice under sub-section (1) requiring him to deliver up the same;

(h) if it is brought to the notice of the passport authority that a warrant or summons for the appearance, or a warrant for the arrest, of the holder of the passport or travel document has been issued by a court under any law for the time being in force or if an order prohibiting the departure from India of the holder of the passport or other travel document has been made by any such court and the passport authority is satisfied that a warrant or summons has been so issued or an order has been so made.

(4) The passport authority may also revoke a passport or travel document on the application of the holder thereof.

(5) Where the passport authority makes an order varying or cancelling the endorsements on, or varying the conditions of, a passport or travel document under sub-section (1) or an order impounding or revoking a passport or travel document under sub-section (3), it shall record in writing a brief statement of the reasons for making such order and furnish to the holder of the passport or travel document on demand a copy of the same unless in any case, the passport authority is of the opinion that it will not be in the interests of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country or in the interests of the general public to furnish such a copy.

(6) The authority to whom the passport authority is subordinate may, by order in writing, impound or cause to be impounded or revoke a passport or travel document on any ground on which it may be impounded or revoked by the passport authority and the foregoing provisions of this section shall, as far as may be, apply in relation to the impounding or revocation of a passport or travel document by such authority.

(7) A court convicting the holder of a passport or travel document of any offence under this Act or the rules made thereunder may also revoke the passport or travel document: Provided that if the conviction is set aside on appeal or otherwise the revocation shall become void.

(8) An order of revocation under sub-section (7) may also be made by an appellate court or by the High Court when exercising its powers of revision.

(9) On the revocation of a passport or travel document under this section the holder thereof shall, without delay, surrender the passport or travel document, if the same has not already been impounded, to the authority by whom it has been revoked or to such other authority as may be specified in this behalf in the order of revocation.

10A. Suspension of passports or travel documents in certain cases-

(1) Without prejudice to the generality of the provisions contained in section 10, if the Central Government or any designated officer is satisfied that the passport or travel document is likely to be impounded or caused to be impounded or revoked under clause (c) of sub-section (3) of section 10 and it is necessary in the public interest so to do, it or he may, -

By order, suspend, with immediate effect, any passport or travel document;

(i) Pass such other appropriate order which may have the effect of rendering any passport or travel document invalid for a period not exceeding four weeks:

Provided that the Central Government or the designated officer may, if it or he considers appropriate, extended, by order and for reasons to be recorded in writing, the said period of four weeks till the proceedings relating to variation, impounding or revocation of passport or travel document under section 10 are concluded:

Provided further that every holder of the passport or travel document, in respect of whom an order under clause (a) or clause (b) of this sub-section has been passed, shall be given an opportunity of being heard within a period of not later than eight weeks reckoned from the date of passing of such order and there upon the Central Government may, if necessary, by order in writing, modify or revoke the order passed under this sub-section.

2. The designated officer shall immediately communicate the orders passed under sub-section (1), to the concerned authority at an airport or any other point of embarkation or immigration, and to the passport authority.

3. Every authority referred to in sub-section (2) shall, immediately on receipt of the order passed under sub-section (1), give effect to such order.

10B. Validation of intimations. –

Every intimation given by the Central Government or the designated officer, before the commencement of the Passports (Amendment) Act, 2002, to any immigration authority at an airport or any other point of embarkation or immigration, restricting or in any manner prohibiting the departure from India of any holder of the passport or travel document under sub-section (3) of section 10, shall be deemed to be an order under sub-section (1) of section 10A and such order shall continue to be in force for a period of three months from the date of commencement of the Passports (Amendment) Act, 2002, or the date of giving such intimation, whichever is later.

Explanation.- For the purposes of sections 10A and 10B, the expression "designated officer" means such officer or authority designated, by order in writing, as such by the Central Government.

11. Appeals -

(1) Any person aggrieved by an order of the passport authority under clause (b) or clause (c) of sub-section (2) of section 5 or clause (b) of the proviso to section 7 or sub-section (1), or sub-section (3) of section 10 or by an order under sub-section (6) of section 10 of the authority to whom the passport authority is subordinate, may prefer an appeal against that order to such authority (hereinafter referred to as the appellate authority) and within such period as may be prescribed:

Provided that no appeal shall lie against any order made by the Central Government.

(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(3) The period prescribed for an appeal shall be computed in accordance with the provisions of the Limitation Act, 1963, (36 of 1963) with respect to the computation of the periods of limitation thereunder.

(4) Every appeal under this section shall be made by a petition in writing and shall be accompanied by a copy of the statement of the reasons for the order appealed against where such copy has been furnished to the appellant and ⁶[by such fee as may be prescribed for meeting the expenses that may be incurred in calling for relevant records and for connected services]

(5) In disposing of an appeal, the appellate authority shall follow such procedure as may be prescribed:

Provided that no appeal shall be disposed of unless the appellant has been given a reasonable opportunity of representing his case.

(6) Every order of the appellate authority confirming, modifying or reversing the order appealed against shall be final.

12. Offences and penalties -

(1) Whoever-

(a) contravenes the provisions of section 3; or

(b) knowingly furnishes any false information or suppresses any material information with a view to obtaining a passport or travel document under this Act or without lawful authority alters or attempts to alter or causes to alter the entries made in a passport or travel document; or

(c) fails to produce for inspection his passport or travel document (whether issued under this Act or not) when called upon to do so by the prescribed authority; or

(d) knowingly uses a passport or travel document issued to another person; or

(e) knowingly allows another person to use a passport or travel document issued to him, shall be punishable with imprisonment for a term which may extend to ⁷[two years or with fine which may extend to five thousand rupees] or with both.

[(1A) Whoever, not being a citizen of India,-

(a) makes an application for a passport or obtains a passport by suppressing information about in nationality, or

(b) holds a forged passport or any travel document,

shall be punishable with imprisonment for a term which shall not be less than one year but may extend to five years and with fine which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees] or with both.

(2) Whoever abets any offence punishable under ⁹[sub-section (1) or sub-section (1A)] shall, if the act abetted is committed in consequence of the abetment, be punishable with the punishment provided in that sub-section for that offence.

(3) Whoever contravenes any condition of a passport or travel document or any provision of this Act or any rule made thereunder for which no punishment is provided elsewhere in this Act shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

(4) Whoever, having been convicted of an offence under this Act, is again convicted of an offence under this Act shall be punishable with double the penalty provided for the latter offence,

13. Power to arrest-

(1) Any officer of customs empowered by a general or special order of the Central Government in this behalf and any [officer of police or emigration officer] not below the rank of a sub-inspector may arrest without warrant any person against whom a reasonable suspicion exists that he has committed any offence punishable under section 12 and shall, as soon as may be, inform him of the grounds for such arrest.

(2) Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a magistrate having jurisdiction in the case or to the officer in charge of the nearest police station and the provisions of [section 57 of the Code of Criminal Procedure, 1973 (2 of 1974)] shall, so far as may be, apply in the case of any such arrest.

14. Power of search and seizure -

(1) Any officer of customs empowered by a general or special order of the Central Government in this behalf and any officer of police or emigration officer not below the rank of a sub-inspector may search any place and seize any passport or travel document from any person against whom a reasonable suspicion exists that he has committed any offence punishable under section 12.

(2) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974) relating to searches and seizures shall, so far as may be, Apply to searches and seizures under this section.

15. Previous sanction of Central Government necessary -

No prosecution shall be instituted against any person in respect of any offence under this Act without the previous sanction of the Central Government or such officer or authority as may be authorized by that Government by order in writing in this behalf.

16. Protection of action taken in good faith-

No suit, prosecution or other, legal proceeding shall lie against the Government or any officer or authority for anything which is in good faith done or intended to be done under this Act.

17. Passport and travel document to be property of Central Government-

A passport or travel document issued under this Act shall in all times remain the property of the Central Government.

18. Passports, etc. not to be issued to persons who cannot emigrate under Act 7 of 1922.- [Rep. By the Passports (Amendment) Act, 1993 (35 of 1993), sec. 8(w.e.f. 1-7-1993).]

19. Passports and travel documents to be invalid for travel to certain countries -

Upon the issue of notification by the Central Government that a foreign country is-

- (a) a country which is committing external aggression against India; or
 - (b) a country assisting the country committing external aggression against India; or
 - (c) a country where armed hostilities are in progress; or
 - (d) a country to which travel must be restricted in the public interest because such travel would seriously impair the conduct of foreign affairs of the Government of India,
- a passport or travel document for travel through or visiting such country shall cease to be valid for such travel or visit unless in any case a special endorsement in that behalf is made in the prescribed form by the prescribed authority.

20. Issue of passports and travel documents to persons who are not citizens of India -

Notwithstanding anything contained in the foregoing provisions relating to issue of a passport or travel document, the Central Government may issue, or cause to be issued, a passport or travel document to a person who is not a citizen of India if that Government is of the opinion that it is necessary so to do in the public interest.

21. Power to delegate -

The Central Government may, by notification in the Official Gazette, direct that any power or function which may be exercised or performed by it under this Act other than the power under clause (d) of sub-section (1) of section 6 or the power under clause (i) of sub-section (2) of that section or the power under section 24, may, in relation to such matters and subject to such conditions, if any, as it may specify in the notification, be exercised or performed-

- (a) by such officer or authority subordinate to the Central Government; or

(b) by any State Government or by any officer or authority subordinate to such Government; or
(c) in any foreign country in which there is no diplomatic mission of India, by such Consular Officer;
as may be specified in the notification.

22. Power to exempt -

Where the Central Government is of the opinion that it is necessary or expedient in the public interest so to do, it may, by notification in the Official Gazette and subject to such conditions, if any, as it may specify in the notification,-

- (a) exempt any person or class of persons from the operation of all or any of the provisions of this Act or the rules made thereunder; and
- (b) as often as may be, cancel any such notification and again subject, by a like notification, the person or class of persons to the operation of such provisions.

23. Act to be in addition to certain enactments -

The provisions of this Act shall be in addition to and not in derogation of the provisions of the Passport (Entry into India) Act, 1920 (34 of 1920), the ¹⁴[Emigration Act, 1983 (31 of 1983), the Registration of Foreigners Act, 1939 (16 of 1939), the Foreigners Act, 1946 (31 of 1946), ¹⁵[***] the Trading with the Enemy (Continuance of Emergency Provisions) Act, 1947 (16 of 1947), the Foreigners Law (Application and Amendment) Act, 1962 (42 of 1962), ¹⁶[the Foreign Exchange Regulation Act, 1973] and other enactments relating to foreigners and foreign exchange.

24. Power to make rules-

(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the appointment, jurisdiction, control and functions of passport authorities,
- (b) the classes of persons to whom passport and travel documents referred to respectively in sub-section (1) and sub-section (2) of section 4 may be issued;
- (c) the form and particulars of application for the issue or renewal of a passport or travel document or for endorsement on a passport or travel document and where the application is for the renewal, the time within which it shall be made;
- (d) the period for which passports and travel documents shall continue in force;
- (e) the form in which and the conditions subject to which the different classes of passports and travel documents may be issued, renewed or varied;
- [(ee) specifying the foreign country for the purposes of the Explanation to sub-section (1) of section 5];
- (f) the fees payable in respect of ¹⁸[[any application for the issue of a passport under sub-section (1) of section 5 or issue of a passport] for visiting a foreign country referred to in sub-section (1A) of section 5 or issue of a passport]] or travel document or for varying any endorsement or making a fresh endorsement on a passport or a travel document and the fees payable in respect of any appeal under this Act;
- (g) the appointment of appellate authorities under sub-section (1) of section 11, the jurisdiction of, and the procedure which may be followed by, such appellate authorities;
- (h) the services (including the issue of a duplicate passport or travel document in lieu of a passport or travel document lost, damaged or destroyed) which may be rendered in relation to a passport or travel document and the fees therefor,
- (i) any other matter which is to be or may be prescribed or in respect of which this Act makes no provision or makes insufficient provision and provision is, in the opinion of the Central Government, necessary for the proper implementation of the Act.

(3) Every rule made under this Act shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or ¹⁹[in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid] in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity or anything previously done under that rule.

25. Change of short title of Act 34 of 1920-

In the Indian Passport Act, 1920, in sub-section (1) of section 1, for the words and figures "the Indian Passport Act, 1920", the words, brackets and figures "the Passport (Entry into India) Act, 1920" shall be substituted.

26. Savings as to certain passports and applications- [Rep. By the Passports(Amendment) Act, 1993 (35 of 1993), sec. 8 (w.e.f. 1-7-1993).]

27. Repeal and saving -

(1) The Passports Ordinance, 1967 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or purporting to have been done or taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 5th day of May, 1967.

**Passport Rules, 1980
SCHEDULE V
(See rule 19)**

CONDITIONS RELATING TO THE ISSUE OF PASSPORT AND TRAVEL DOCUMENT

1. A passport or travel document is available for travel only to the countries specified therein and must not be utilised for travel to other countries.
2. A passport or travel document must not be utilised for travel to countries not recognised by the Government of India.
3. A passport or travel document should not be sent out of any country by post.
4. A passport or travel document should not be allowed to pass into the possession of any unauthorised person.
5. The holder of a passport or travel document is personally responsible for its safe custody. It must not be wilfully lost, damaged or destroyed. In case of an unintentional loss or destruction, the fact and circumstances of such loss or destruction should be immediately reported to the nearest passport authority in India or (if the holder of the passport is abroad) to the nearest Indian Mission or Post and to the local police.
6. A Passport or travel document must not be altered or mutilated in any way nor any endorsement made in it by any person other than a duly authorised official.
7. If the particulars of children are included in the passport or travel document of parent or guardian, as the case may be, the children shall not travel alone.

8. Children, whose names are included in the passport or travel document of their parent or legal guardian, should apply for a separate passport on attaining the age of 15 years.

9. When a citizen of India abroad is to be repatriated to India at the expense of Government of India, he shall surrender his passport or travel document to the Indian Mission or Post repatriating him and obtain an Emergency Certificate for direct return to India.

10. The holder of an Emergency Certificate, on arrival in India, shall surrender it to the Immigration Check Post.

11. The passport or travel document should be surrendered to the passport authority if he ceases to be eligible to hold one.

12. A diplomatic or official passport shall automatically cease to be valid if the person to whom it was issued ceases to exercise the functions which rendered him eligible to receive a diplomatic or official passport. In such an event, the passport shall be surrendered to the passport authority.

MINISTRY OF EXTERNAL AFFAIRS

NOTIFICATION

New Delhi, the 28th September, 2012

G.S.R. 731(E).— In exercise of the powers conferred by section 24 of the Passports Act, 1967(15 of 1967), the Central Government hereby makes the following rules further to amend the Passports Rules, 1980, namely:--

1. (1) These rules may be called the Passports (Amendment) Rules, 2012.
- (2) They shall come into force with effect from the 1st day of October, 2012.
2. For Schedule IV to the Passport Rules, 1980, the following schedule shall be substituted, namely:--

"SCHEDULE IV

(See rule 8)

Schedule of fees payable in respect of applications for
passport and travel documents

Sl. No.	Particulars of application	Scale of fees					
		Normal Fee			Tatkaal fee (inclusive of normal fee)		
		India Rs.	Abroad \$	Abroad €	India Rs.	Abroad \$	Abroad € (for Euro countries)
1	2	3	4	5	6	7	8
I. PASSPORT--							
1.	For issue of ordinary fresh passport or reissue of Passport containing 36 pages having validity of ten years (also applicable to minors in the age group of fifteen to eighteen years)	1500	75	60	3500	225	240
2.	For issue of ordinary fresh passport or reissue of passport containing 60 pages having validity of ten years (also applicable to minors in the age group of fifteen to eighteen years)	2000	100	75	4000	250	255
3.	For issue of ordinary fresh passport or	1000	50	40	3000	200	220

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	reissue of passport of 36 pages for minors below eighteen years of age with validity of five years or till the minor attains the age of eighteen years, whichever is earlier						
4.	For issue of fresh or reissue of India-Bangladesh Passport or Passport for any other named foreign country with a maximum validity of ten years	1000	50	40	NA	NA	NA
5.	Replacement of passport of 36 pages having validity of ten years for changes in personal particulars	1500	75	60	3500	225	240
6.	Replacement of passport of 60 pages having validity of ten years for changes in personal particulars	2000	100	75	4000	250	255
7.	Replacement of passport of 36 pages for changes in personal particulars for minors below the age of eighteen years with validity of five years or till the minor attains the age of eighteen years, whichever is earlier	1000	50	40	3000	200	220
8.	Replacement of passport of 36 pages having validity of ten years for deletion of Emigration Check Required stamp	1500	75	60	3500	225	240
9.	Replacement of passport of 60 pages having validity of ten years for deletion of Emigration Check Required stamp	2000	100	75	4000	250	255

II. SPECIAL TRAVEL DOCUMENT--

10.	Emergency Certificate	NA	15	12	NA	NA	NA
11.	Certificate of Identity	1000	50	40	NA	NA	NA
12.	Additional ordinary passport containing 36 pages for any country with validity upto one year	1500	75	60	NA	NA	NA

III. MISCELLANEOUS SERVICES--

13.	Issue of Police Clearance Certificate or Surrender Certificate or any other miscellaneous certificates based on the Passport	500	25	20	NA	NA	NA
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[PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

NOTIFICATION

New Delhi, the 16th December, 2019

G.S.R 933 (E) .- In exercise of the powers conferred by section 24 of the Passports Act, 1967 (15 of 1967), the Central Government hereby makes the following rules further to amend the Passports Rules, 1980, namely:-

1. Short title and commencement:- (1) These rules may be called the Passports (Amendment) Rules, 2019.

(2) They shall come in to force on the date of their publication in the Official Gazette.

2. In the Passports Rules, 1980, in Schedule III, under the heading "Section IV-DOCUMENTS TO BE ATTACHED WITH THE APPLICATION",-

(i) for paragraph (C), the following paragraph shall be substituted, namely:-

“(C) PASSPORT UNDER TATKAAL SCHEME

(a) If an applicant of the age of 18 years and above desires to obtain passport under Tatkaal Scheme, he shall submit any three of the following documents, namely:-

- (i) Aadhaar Card or e-Aadhaar containing the 12 digit Aadhaar number or 28- digit Aadhaar enrolment ID printed on the Aadhaar enrolment slip issued by the Unique Identification Authority of India (UIDAI);
- (ii) Electors Photo Identify Card (EPIC);
- (iii) Permanent Account Number (PAN);
- (iv) driving licence (valid and within the jurisdiction of State of submission of applicant);
- (v) bank passbook or kisan passbook or post office passbook;
- (vi) student photo identity card issued by a recognised educational institution;
- (vii) birth certificate issued under the Registration of Births and Deaths Act, 1969 (18 of 1969);
- (viii) service photo identity card issued by State Government or Central Government, public sector undertakings, local bodies or public limited companies;

- (ix) pension document such as ex-servicemen's pension book or pension payment order issued to retired Government employees, ex- servicemen's widow or dependent certificate, old age pension order;
- (x) scheduled caste or scheduled tribe or other backward class certificate;
- (xi) arms licence issued under the Arms Act, 1959 (54 of 1959);
- (xii) ration card; and
- (xiii) last passport issued (in case of reissue only)

(b) If an applicant below the age of 18 years desires to obtain passport under the Tatkaal Scheme, he shall submit any two of the following documents, namely:-

- (i) Aadhaar Card or e-Aadhaar containing the 12 digit Aadhaar number or 28-digit Aadhaar enrolment ID printed on the Aadhaar enrolment slip issued by the Unique Identification Authority of India (UIDAI);
- (ii) Permanent Account Number (PAN);
- (iii) student photo identity card issued by a recognised educational institution;
- (iv) birth certificate issued under the Registration of Births and Deaths Act, 1969 (18 of 1969);
- (v) ration card; and
- (vi) last passport issued (in case of reissue only)

(c) applicant seeking a passport under Tatkaal scheme shall submit his application along with documents specified in sub-paragraphs (a) or (b), as the case may be, with Tatkaal fee of Rs. 2000/- (Rupees Two thousand only) in addition to the prescribed fee for issuance of passport to the concerned passport authority;

(d) proof of urgency is not required for issue of passport under Tatkaal scheme;

(e) post police verification shall be done in cases where passport is issued under Tatkaal scheme.

(f) in cases where the applicant has paid Tatkaal fee and submitted documents specified in sub-paragraphs (a) or (b), as the case may be, the passport shall be issued within three working days from the date of submission of application.";

(ii) paragraph 'D' shall be omitted.

[File No. VI/401/1/4/2013]

[Arun Kumar Chatterjee]
Joint Secretary (PSP) and
Chief Passport Officer (CPO)

Note:-The Principal rules were published *vide* notification number G.S.R. 691(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 11th December, 1980 and lastly amended *vide* notification number G.S.R. 1117 (E), dated the 15th November, 2018.

**AFFIDAVIT TO BE DECLARED/AFFIRMED BY TWO RESPONSIBLE PERSONS WHO KNOW
THE
LEGAL GUARDIAN AS WELL AS THE MINOR**

I,(name of the deponent) s/o/d/o.....do solemnly
declare and affirm as follows: -

1. That I know both Shri/Smt(name of guardian) s/o/ d/o
..... and(name of minor)
s/o/d/o.....
2. That.....(name of guardian) has applied for a passport in favour
of.....(name of minor) under the instructions
of.....(name and address of minor's parents), his/her
parents.
3. That.....(name of guardian) has no interest adverse to that of the
said.....(name of minor)
4. That(name of guardian) is.....
(relationship) of.....(name of minor).

Date
Place

DEPONENT 1

DEPONENT2

Passport/Aadhaar/EPIC card No

VERIFICATION

Verified on this _____ day of _____ of the year_____ that the contents of
my above affidavit are true and correct to the best of my knowledge and belief and
nothing material has been concealed therefrom. The contents of the affidavit have been
read out and explained in my mother tongue, which I have understood.

Place

DEPONENT1:

DEPONENT2:

Date:

JOINT AFFIDAVIT TO BE SUBMITTED BY BOTH BIOLOGICAL PARENTS OF A MINOR CHILD BORN OUTSIDE OF WEDLOCK

(In addition, Annexure-H duly signed by both the parents to be furnished)

We,.....(names of the biological father and mother respectively of the minor child) hereby solemnly declare and confirm :-

1. That we have made an application for passport of our child.....(name of minor) who is a minor;
2. That we(names of biological father and mother) have been living together although our relationship does not have legal sanction of marriage;
3. That(name of minor) has been born out of our relationship and that we(names of the biological father and mother)are his/her biological parents and our names may accordingly be entered in his/her passport as the child's parents.

Date:

Place:

DEPONENT 1

DEPONENT 2

Passport/Aadhaar/EPIC card No.

VERIFICATION

Verified on this _____ day of _____ of the year____ that the contents of my above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom. The contents of the affidavit have been read out and explained in my mother tongue, which I have understood.

Place

DEPONENT1:

DEPONENT2

Date:

**DECLARATION AS REQUIRED UNDER SECTION 6A (6) OF THE CITIZENSHIP ACT, 1955
TO BE FILLED IN BY THE PERSON WHO DOES NOT WISH TO BECOME A CITIZEN OF
INDIA**

I,.....,son/daughter/wife of.....
resident of (Full name and address) hereby solemnly declare that
I do not wish to become a citizen of India nor to be governed by sub-sections (4) and (5)
of section 6A of the Citizenship Act, 1955.

Date.....

.....

Place.....

Signature or thumb impression of the applicant.

TO BE FILLED IN THE OFFICE OF REGISTERING AUTHORITY

Registration No..... (Registration number is to be given after
registering the foreigner under the Foreigners Act, 1946).

Date.....

Place.....

SEAL Signature of the Registering Authority.
