



Intern visa – Detailed guidelines issued by the Government of India

Background

In order to meet the industry's demand and growing business needs of various multi-national corporations operating in India, the Government of India has issued comprehensive guidelines on the 'intern (I) visa'.

As per the issued guidelines, intern visa may be sponsored by an Indian company or an educational institution or a Non Governmental Organisation (NGO). The guidelines provide in detail the eligibility criteria, validity, quota, special approvals and other matters which are applicable to the said visa.

Eligibility criteria

- (a) The intern should draw a minimum remuneration of INR0.78 million (INR7.8 lakh) per annum in case of internship with an Indian company. There is no such minimum salary requirement in case of internship with educational institution or an NGO.
- (b) Only graduates/post graduates may be granted the said visa and that too only if the gap between completion of graduation/post-graduation and commencement of internship is one year or less.
- (c) Intern visa shall not be granted to a national of Pakistan.

Validity period and quota

- (a) Intern visa may be granted for a maximum period of one year and cannot be extended in India.
- (b) Each country mission/post may grant a maximum of 50 intern visas per year. In case the person of Indian origin population in the concerned country is more than 1 million, the maximum limit shall be 100 per year.

Other key matters

- (a) Prior clearance of the Ministry of Home Affairs (MHA) would be required if the:
 - (i) Intern is of a particular nationality.¹
 - (ii) Intern intends to pursue internship with an NGO.
 - (iii) Internship programme involves visits to protected, restricted and cantonment areas, state of Jammu & Kashmir and North Eastern states
- (b) The intern visa shall not be issued for internship in certain strategic sectors.²
- (c) Income tax laws of India will equally apply to the foreign national interns working in India.
- (d) The intern visa cannot be converted into an employment visa or any other type of visa. However, the intern has an option to return to his home country and apply for a business visa, employment visa, etc.
- (e) The rules of registration provided in the Foreigners Registration Rules 1992 will be equally applicable to an intern and the intern would be required to register with the Foreigners Regional Registration Office (FRRO)/ Foreigners Registration Office (FRO).

¹ Nationals of Afghanistan, China, Iraq, Nigeria, Somalia, Sudan or a foreign national of Pakistan origin or stateless person.

² Defence, telecom, space technology, construction/strategic infrastructure projects, mining, civil aviation, petroleum & natural gas exploration, private security agencies, human rights, nuclear energy, environmental issues and dams.

Our comments

The release of comprehensive guidelines on intern visa is a welcome step and would help clear lot of doubts that the Indian sponsors have on the said visa. Human resource and immigration managers of the Indian sponsors should take note of the guidelines and make the best use of the same per their business requirements.

Reference:

<http://mha.nic.in/>

<http://www.cgivancouver.org/pages.php?id=236>

http://www.vfsglobal.com/india/australia/visa_services/Intern_Visa.html



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