

MEMORANDUM ON
SIMPLIFYING VISA PROCEDURES BETWEEN
THE GOVERNMENT OF THE
REPUBLIC OF INDIA
AND
THE GOVERNMENT OF
JAPAN

The Government of the Republic of India (hereinafter referred to as "GOI"), and the Government of Japan (hereinafter referred to as "GOJ")

Considering the desire of both countries to strengthen their friendly relations;

Desirous of facilitating the contacts between nationals of both countries;

Have mutually confirmed their intentions to take or maintain the following measures to simplify their respective visa procedures subject to the laws and regulations of their respective countries.

1. Measures related to Business Visas in India and Temporary Visitor's Visas for Businessmen in Japan

(a) Each side may issue multiple entry visas valid for up to 5 years to each other's businessmen who travel to the other country on a temporary visit for business purposes on receipt of a letter of request from a duly recognized company or employer of each country or on a request from recognized chambers of commerce and industry and business organizations of each country, such as Confederation of Indian Industries (CII), Federation of Indian Chambers of Commerce and Industry (FICCI), National Association of Software Services Companies (NASSCOM) and Associated Chambers of Commerce and Industry in India (ASSOCHAM) and government recognized business and trade promotion councils in India and NIPPON KEIDANREN in Japan subject to the following:

- (i) The stay in India during each visit should not exceed 180 consecutive days;
- (ii) The stay in Japan during each visit should not exceed 90 consecutive days.

(b) Each side may issue entry visas to each other's businessmen who are not covered under (a) above as follows:

- (i) The Indian side may issue multiple entry business visas valid for up to 6 months with the period of stay up to 180 consecutive days to nationals of Japan who travel to India on a temporary visit to establish industrial or business venture, to explore possibilities of setting up industrial or business venture, for purchase or sale of industrial or

commercial products, or for purpose of trade and other short term business related activities (not employment).

(ii) The Japanese side may issue single entry temporary visitor's visas valid for 3 months with the period of stay up to 90 consecutive days to nationals of India who travel to Japan on a temporary visit for business purposes such as trade, short-term business projects and other short-term business related activities (not employment).

(c) The Japanese side may issue multiple entry temporary visitor's visas valid for up to 3 years with the period of stay up to 90 consecutive days on each visit to family members (spouse and children) of the Indian businessmen mentioned in (a) above.

(d) Neither conversion of business visas to employment visas in India nor change of immigration status of persons who enter Japan with temporary visitor's visas, not due to special unavoidable reasons, may be permitted, unless the applicant returns to his or her country of nationality and applies to the Embassy or Consulate of the other country.

2. Measures related to Employment Visas in India and Entry Visas for Working in Japan

Each side may issue employment visas/entry visas for working as follows:

(a)(i) The Indian side may issue multiple-entry employment visas to Japanese technicians or experts coming to India in pursuance of bilateral arrangements between the GOI and the GOJ or in pursuance of arrangements between non-governmental organizations including arrangements regarding cultural or academic exchanges that have been approved by the GOI for duration stated in the arrangement or a period of 5 years, whichever is less.

(ii) For those Japanese applicants who are not covered under (a)(i) above but are highly skilled and qualified professionals employed by a company, organization or industry in the IT software and IT enabled sectors in India, the Indian side may grant multiple-entry employment visas valid for 3 years initially. The applicant must submit proof of his or her employment contract or engagement by the company, organization or industry in India or of the undertaking in India. The applicant may be asked to submit proof of registration of the company, organization or industry under domestic laws and

regulations. The Indian side may grant extensions of the period of stay for 2 more years on a year to year basis beyond the initial 3 years to those Japanese applicants who entered India with visas mentioned in this paragraph, in accordance with the procedures determined by the GOI. In this connection, the GOI will ensure that such procedures will be completed as expeditiously as possible.

(iii) For those Japanese applicants who are highly skilled and qualified professional coming to India for employment by a company, organization or industry in India or engaged in an undertaking in India on contract not covered in (a) (i) and (a)(ii) above, the Indian side may grant multiple-entry employment visas valid for up to 3 years or the term of assignment whichever is less. The Indian side may grant extensions of the period of stay for 2 more years on a year to year basis beyond the initial 3 years to those Japanese applicants who entered India with visas mentioned in this paragraph subject to provision of necessary documents.

(iv) The Indian side may issue to family members (spouse and children who are dependent on the applicant and forming part of the same household) of the nationals of Japan mentioned in (i), (ii) and (iii) above, multiple entry visas co-terminus with employment visas issued to the nationals of Japan, upon presentation of proof of their relationship and a sponsoring letter from their employer.

(b) (i) The Japanese side may issue single entry visas for working valid for 3 months with the period of stay of 3 years or 1 year depending on the intended length of their stay in Japan to nationals of India who have an appropriate Certificate of Eligibility issued by the regional immigration offices of Japan. After the arrival in Japan, nationals of India can obtain from the regional immigration offices a multiple re-entry permission valid for up to 3 years consistent with the period of stay marked on the landing permission granted at the port of entry. The GOJ will endeavour to deal with visa applications as expeditiously as possible from the date of application.

(ii) The Japanese side may issue to family members (spouse and children), who are dependent on the nationals of India mentioned in (b) (i) and forming part of the same household, single entry visas valid for 3 months with the period of stay co-terminus with the visas of the nationals of India depending on the intended length of their stay in Japan, on presentation of an appropriate Certificate of Eligibility issued to each family member by the regional immigration offices of Japan. After the arrival in Japan, family

members can obtain from the regional immigration offices a multiple re-entry permission valid for up to 3 years consistent with the period of stay marked on the landing permissions granted at the port of entry.

(iii) The Japanese side may issue to family members (spouse and children), who are not dependent on the nationals of India mentioned in (b) (i) as well as family members (spouse and children) who are dependent on the national of India but not forming part of the same household, multiple entry visas valid for up to 3 years with the period of each of stay up to 90 days, on presentation of proof of relationship with the national of India and proof of his or her employment in Japan.

(iv) In case of parents of the nationals of India mentioned in (b)(i) or parents of his or her spouse, the Japanese side may issue single entry temporary visitor's visas valid for 3 months with the period of stay up to 90 consecutive days on presentation of proof of relationship, travel bookings and documents to prove the capacity of the applicants or nationals of India mentioned above to cover their travel expenditures.

(c) The nationals of Japan and their family members mentioned in (a) above will complete formalities for residence permits by applying to the Foreigners' Regional Registration Office under the Ministry of Home Affairs of India (hereinafter referred to as "FRRO") within 14 days after their arrival in accordance with the relevant regulations of India. The residence permits issued by the GOI above need to be renewed on annual basis.

3. Measures related to Tourist Visas in India and Temporary Visitor's Visas for the Purpose of Sightseeing in Japan

Each side may issue tourist visas/temporary visitors visas for the purpose of sightseeing as follows:

(a) The Indian side may issue multiple entry tourist visas valid for up to 5 years with the period of stay up to 90 consecutive days to the nationals of Japan. An interval of at least 2 months between 2 visits to India is required on a tourist visa. However, with a view to ensuring that genuine tourists are not affected, nationals of Japan with tourist visas, after initial entry into India, may visit another country largely on account of neighbourhood tourism and need to re-enter India within 60 days, before finally exiting.

Such tourists may be permitted up to 3 re-entries (on the basis of the needs) by the Indian Missions or Posts subject to their submission of a detailed itinerary and supporting documentation such as ticket bookings.

(b)

(i) The Japanese side may issue single entry temporary visitor's visas for the purpose of sightseeing valid for 3 months with the period of stay up to 90 consecutive days ,on presentation of travel bookings, to the nationals of India, as well as to their families, who meet certain criteria, such as members of companies listed on recognized stock exchange, members of state and municipal enterprises, government officials and cultural figures and other persons judged by the Chief of Mission to be reliable.

(ii) The Japanese side may issue single entry temporary visitor's visas for the purpose of sightseeing valid for 3 months with the period of stay up to 90 consecutive days to those other than (i) above on presentation of travel bookings as well as documents to prove the applicant's capacity to cover their travel expenditures.

(iii) If the nationals of India participate in package tours organized by tour operators registered with the GOI and designated by the Japanese side, single entry temporary visitor's visas for the purpose of sightseeing valid for 3 months with the period of stay up to 90 consecutive days may be granted on presentation of necessary documents by the tour operator.

4. Measures related to Student Visas in India and Entry Visas for Students in Japan

Each side may issue student visas/entry visas for students as follows:

(a) The Indian side may issue student visas to Japanese applicants valid for up to 5 years, or duration of the course, whichever is shorter on presentation of a letter of confirmed admission from a recognized educational institution, proof of finances to cover travelling expenses and other expenditure in India. A maximum of 3 re-entries per academic year may be allowed. In emergency situation additional entries may be granted. The Japanese applicant should be required to register himself or herself with the concerned FRRO for a residence permit within 14 days of his or her arrival.

There will be no restriction with reference to the number of courses a Japanese student

can attend in one institution or multiple institutions, provided the institutions are recognized. In case a Japanese student wishes to change a course midway and join another course, the period of validity of the residence permit will be adjusted to the duration of the latter course.

(b) The Japanese side may issue single entry visas valid for 3 months, with the period of stay up to 2 years and 3 months to Indian students to receive education at Japanese colleges, high schools or equivalent educational institutions or to take courses such as Japanese language at other equivalent educational schools. Indian students can obtain from the regional immigration offices a multiple re-entry permission valid for up to 2 years and 3 months consistent with the period of stay marked on the landing permission granted at the port of entry. The GOJ will endeavour to deal with applications for extension of the period of stay from such students of India beyond the permitted period of stay, as the case may be, for studying in Japan as expeditiously as possible from the date of application.

(c) In the case of applicants covered under the Cultural Exchange Programme or the Education Exchange Programme or other mutually approved Programme between the two sides, each side may issue relevant visas on presentation of a letter of authorization from the concerned Government body in each other's country.

5. Short-Term Visas (India)/Temporary Visitor's Visas (Japan)

Each side may issue relevant entry visas to the nationals of one country travelling to the other country for conferences, seminars and other short-term academic exchanges in accordance with applicable procedures as set forth in laws and regulations of each side.

6(a) Each side will, within a reasonable period that does not exceed 5 working days after an application requesting entry visas is considered complete under its domestic laws and regulations, inform the applicant of the decision concerning the application. At the request of the applicant, each side will endeavour to provide, without undue delay, information concerning the status of the application.

(b) The period referred to in paragraph (a) can be extended if additional consideration on the documents provided by the applicant is necessary.

7. Each side reserves the right, for reasons of security, public order or public health, to

suspend temporarily, either in whole or in part, the implementation of the foregoing measures upon notification given to the other side through diplomatic channels.

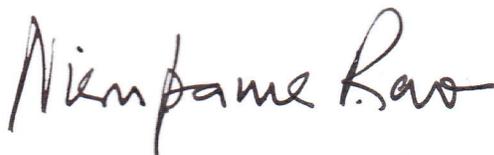
8. The foregoing measures will be implemented from a date to be mutually decided by both sides through diplomatic channels. These measures are subject to all other conditions for grant of visas as per the extant instructions issued by both Governments being applicable. Such extant instructions are issued subject to the applicable laws and regulations of each country.

9. Both sides may, as necessary, hold consultations through diplomatic channels to deal with any issues that may arise relating to the foregoing measures.

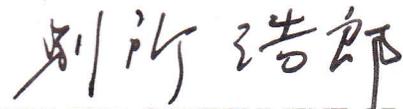
10. Each side, when it terminates the foregoing measures, either in whole or in part, will give 1 month's notice to the other side in writing through diplomatic channels.

11. Both sides will continue consultations to explore measures to further simplify visa procedures.

Signed at Tokyo, Japan, on October 25, 2010 in two originals.



FOR THE GOVERNMENT OF
THE REPUBLIC OF INDIA



FOR THE GOVERNMENT OF
JAPAN