

## 'SPOUSES' PRESENCE NOT MANDATORY FOR OCI CARD'

Relevant for: Indian Polity | Topic: Indian Constitution - Features & Significant Provisions related to The Preamble, Union & its Territories and The Citizenship

The Delhi High Court has said that the Foreigners Regional Registration Office (FRRO) cannot insist on the physical or virtual presence of both the spouses for processing Overseas Citizenship of India (OCI) card applications for one of them.

The High Court's order came while asking the FRRO to accept the OCI card application of an Iranian woman, who has been living separately in Bengaluru after her relationship with her husband, an Indian citizen, turned sour.

The woman submitted that once her marriage with an Indian citizen since 2009 has been proved and is an undisputed fact, the same should be enough to merit grant of an OCI card in her name.

On the other hand, the Centre's counsel argued that unless her spouse comes forward at the time of making the OCI card application, the FRRO cannot even consider the same.

Justice Palli, however, pointed out that the provision in the Visa Manual "merely makes it requisite for all OCI applicants to be present for a personal interview, either physically or through video conferencing".

"...Given that there is no rule or guideline which mandates the presence of both the spouses , it is surprising that the checklist was formulated in a manner to impose such a condition," Justice Palli observed.

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