

21 September 2016

Email - [fyi-request-4335-0cfdb66f@requests.fyi.org.nz](mailto:fyi-request-4335-0cfdb66f@requests.fyi.org.nz)

Dear Mr Dahiya,

**Ranm DAHIYA - Client Number 32207257**

Thank you for your email dated Sunday 04<sup>th</sup> September where you are requesting appropriate, correct, relevant specific information in regards to the assessment of your permanent residence visa application which was lodged with the New Delhi office on 06 September 2012.

Information from your file shows that you applied for a permanent residence visa on 06 September 2012, however the application did not meet the relevant criteria for a permanent resident visa so an application for a second or subsequent resident visa was lodged by Immigration New Zealand (INZ) on 12 September 2012. Please be aware, that it is standard practice in INZ to raise another application type if a client does not meet the relevant criteria that they are applying under. You were then granted a one year returning residents visa, in accordance with the relevant instructions, due to the time spent in New Zealand.

To be granted a permanent returning residents visa you needed to be in New Zealand, 184 days each year during the 2 year period after first being granted residence. Your recorded time spent in New Zealand after being granted residence in June 2010 is as follows:

- First 12 months (06/09/2010-06/09/2011) – 207 days
- Second 12 months (06/09/2011-06/09/2012) – 150 days

While you spent 207 days in the first 12 month period, the excess of 23 days during the first year cannot be transferred into the second year of residence.

INZ does not have the discretion to grant a permanent residence visa in situations where an applicant may just miss the threshold to be issued a permanent resident visa. The only way this could have been granted is if Ministerial intervention was sought. The threshold for this to occur is high and there needs to be an extremely compelling case to do this. Approvals of this nature at Ministerial level for applications of this type are very rare.

I realise that this issue has caused you much distress and apologise that no one from the New Delhi office contacted you in 2012, in regards to the issue of the one year returning resident's visa in 2012.

In view of your email and situation I have passed this feedback onto the Immigration Managers for this office and asked that should this issue arise again that applicants need to be contacted directly so that they are aware of the visa duration they will be issued.

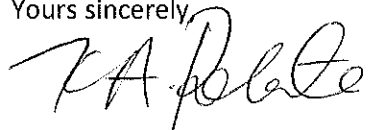
I would suggest that you if you wish to return to New Zealand on a permanent basis that you may want to consider lodging an expression of interest under the parent category. Please see these links to this information regarding applying for residence under this category and expression of interest form.

<https://www.immigration.govt.nz/new-zealand-visas/options/join-family/explore-family-visas>

<https://www.immigration.govt.nz/documents/forms-and-guides/inz1202.pdf>

Thank you for writing.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'KA Polata', written in a cursive style.

Kimberley Polata

Operations Manager

New Delhi Market Office