

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

LOK SABHA
UNSTARRED QUESTION NO.2320
TO BE ANSWERED ON 01.08.2018

PROBLEMS FROM NEW LAW

2320. DR.KRISHAN PRATAP:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether any new legislation of the United States of America, Europe and Australia is creating problems for the Indians to get jobs in the said countries and if so, the details thereof; and
- (b) whether the Indians working in these countries have any risk of loosing their jobs due to new legislations and if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
[GEN. (DR) V. K. SINGH (RETD)]

(a) The exact numbers of foreign jobs for Indians in foreign countries, particularly in United States of America, Europe and Australia is not available with the Ministry as many countries do not have policy to share these data with Indian Missions abroad. The information received from our Mission in Australia and USA is given below:

Australia - There is no new legislation targeting Indians specifically. Australia has put in place changes in visas norms, tougher vetting criteria and increased scrutiny for grant of visas for skilled migration (and consequent employment) in the last 15 months which is applicable to all. In view of the new steps in place, there is an overall reduction in number of migrants coming to Australia for employment. This would also alter migration trends from India.

USA - Most of the Indian professionals going to USA for employment purposes do so under the H-1B and L-1 visa programmes. The H-1B visa is a non-immigrant visa under which foreign workers can enter into the U.S. to carry out the skilled functions for a U.S. employer. [The details of India's share of H-1B share have been provided below].

While there are proposals under consideration in the U.S. to reform the H-1B/work visa programmes, no comprehensive changes have been effected so far. As on date, seven Bills have been introduced in the US Congress. They are at different stages of legislation and will have to go through the full legislative process before they become law.

The U.S. Administration has enacted a number of administrative changes towards stricter enforcement of the work-visa programmes in accordance with President Trump's Executive Order titled "Buy American and Hire American" which requires different arms of the U.S. Administration to suggest reforms to the H-1B visa programme.

The Government is keeping a close watch on the developments in the U.S., which may impact the movement of skilled Indian professionals to the United States. We have engaged with the U.S. Administration and the U.S. Congress at all levels on this matter.

In our engagements, we have emphasized that Indian skilled professionals have contributed to the growth and development of the U.S. economy and have helped the U.S. retain its competitive edge and innovation advantage. They are a big stakeholder in India-U.S. relations and their backward linkages to India have helped U.S. businesses.

According to U.S. official statistics, the number of H-1B visa issued to Indian nationals and their share in total number of H-1B visa issued by the U.S. both increased in 2017, as compared to 2016.

India's Share of H1B:

H1B Visas (Original petitions plus extension)	FY 2014	FY 2015	FY 2016	FY 2017
Total	161,369	172,748	180,057	179,049
India	108,817	119,952	126,692	129,097
%age share	67%	69%	70%	72%
Source: US Department of State Website				

(b) So far no reliable evidence has come to the attention of the Ministry to indicate that the Indians working in these countries have any risk of losing their jobs due to new legislations.
