

**GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA**

STARRED QUESTION NO:154

ANSWERED ON:04.08.2010

DENIAL OF VISA

Roy Shri Nripendra Nath;Singh Smt. Meena

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Government of Canada has expressed its inability in granting visa to some Indian nationals including the retired/serving personnel of Indian Army, Intelligence Bureau, RAW and Para Military Forces;
- (b) if so, the number of such cases reported during the last three years and the current year, year-wise and the reasons therefor;
- (c) whether the Government has raised this issue with the Canadian Government;
- (d) if so, the response of the Canadian Government thereto; and
- (e) the other steps being taken by the Government in this regard?

Answer

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA)

(a) to (e) While expressing its inability to grant visae to some retired Indian security personnel who had applied for visae to visit Canada, the High Commission of Canada made unwarranted comments on Indian security forces and agencies. Government took up the issue with the Canadian authorities. Government pointed out to them that the grant/denial of a visa was a sovereign right of a State but uncalled for comments against our security forces and agencies were unacceptable.

The Government of Canada took note of our demarche and the Minister of Citizenship, Immigration and Naturalization issued a statement on May 27, 2010, a copy of which is attached.

ANNEXURE

Canada's Immigration Minister on visa refusals in India

Ottawa, May 28, 2010 "Citizenship and Immigration Minister Jason Kenney today issued the following statement.

"Canada has the highest regard for India, its government institutions and processes. Our friendship as democratic nations who operate under the rule of law grows ever stronger and we share a common bond of ethnic, religious, and linguistic diversity. Our economic and trade ties continue to strengthen both of our economies.

"Furthermore, at a time when global security continues to be a cause for concern, Canada values the increasing ties and cooperation with India in the fields of defence, security and counter-terrorism. Each year, Canada welcomes about 131,000 Indian residents on both a temporary and permanent basis, including many individuals from the various Indian security forces.

"The Government of Canada therefore deeply regrets the recent incident in which letters drafted by public service officials during routine visa refusals to Indian nationals cast false aspersions on the legitimacy of work carried out by Indian defence and security institutions, which operate under the framework of democratic processes and the rule of law.

"This language, or the inaccurate impression it has created, in no way reflects the policy or position of the Government of Canada. While, under Canadian law, admissibility to Canada is determined by a number of different criteria, candidate assessments should in no way question Indian institutions which operate under the rule of law and within a democratic framework.

"As to the decision process itself, decisions on visa applications are made on a case-by-case basis by non-partisan public servants following an independent process based on Canada's immigration law as it currently stands. However, this unfortunate incident has demonstrated that the deliberately broad legislation may create instances when the net is cast too widely by officials, creating irritants with our trusted and valued international allies. For this reason the admissibility policy within the legislation is under active review at this time."