

**GOVERNMENT OF INDIA  
COMMERCE AND INDUSTRY  
LOK SABHA**

UNSTARRED QUESTION NO:4901

ANSWERED ON:07.05.2012

VISA REJECTION BY USA

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**Will the Minister of COMMERCE AND INDUSTRY be pleased to state:**

- (a) whether the refusal rate of short term visa applications by the United States of America has increased during the last three years and if so, the details thereof alongwith the impact of such visa refusal on the Indian industrial houses;
- (b) whether India has lodged any complaint with the World Trade Organisation under the Dispute Settlement Mechanism over the cost of United States of America work visas, which are too high and discriminatory against a group of Indian IT firms;
- (c) if so, the details thereof alongwith the present status thereof;
- (d) whether the visa issue has also been raised with USA authorities and if so, the reaction of the USA in this regard;
- (e) whether the USA has taken up the matter with regard to ban on USA poultry imports by India with the WTO under the Dispute Settlement Mechanism; and
- (f) if so, the details thereof alongwith the present status thereof?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA)

(a): Denial rates for Indian born applicants for new L1B petition filed with the United States Citizenship and Immigration Services (USCIS), which are used to transfer employees with "specialized knowledge" into the United States rose from 2.8% in Fiscal Year(FY) 2008 to 13.4 % in FY 2011. (Source: National Foundation for American Policy (NFAP))

As per industry reports, this has resulted in many employers being unable to transfer their employees into the United States to work on research projects or serve customers.

(b) : No, Madam.

(c) : Does not arise.

(d) : The visa issue has been raised at various levels with the US Government including Ministerial level, Commerce Secretary level and during the Commercial Dialogue.

(e) & (f) : Yes, Madam. The United States of America (US) sought consultations with India under the Dispute Settlement Mechanism of WTO with regard to India's import restrictions relating to poultry and other products on account of Avian Influenza in view of notification 1663 dated 19 July 2011 of Department of Animal Husbandry, Dairying and Fisheries. Consultations were held with the US on 16-17 April, 2012 in Geneva. During these consultations various provisions of India's notifications were explained and response was given to the US questions.