

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:1119
ANSWERED ON:27.07.2015
Indian and Foreign Workers
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Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the number of Indian and foreign workers in the country at present separately, State-wise;
- (b) the number of foreign workers working in the country during each of the last three years and the current year, Statewise;
- (c) whether these foreign workers have adversely affected the rights and opportunities of domestic workers in the country;
- (d) if so, the details thereof and the steps taken by the Government to safeguard the interests of Indian Workers;
- (e) whether the Government is contemplating to ban the foreign workers; and
- (f) if so, the details thereof?

Answer

MINISTER OF STATE (IC) FOR LABOUR & EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) to (f): The state-wise number of Indian and foreign workers is not maintained centrally. However, reliable estimates of employment and unemployment are obtained through labour force surveys on employment and unemployment conducted by National Sample Survey Office (NSS), Ministry of Statistics and Programme Implementation. The state wise workforce participation rates from the last three surveys are at Annex.

The Ministry of Home Affairs has issued guidelines regarding conditions for grant of employment visa to foreign nationals which inter alia includes the following amongst other conditions:

I. The applicant should be a highly skilled and/or qualified professional, who is being engaged or appointed by a company/ organization/ industry/undertaking in India on contract or employment basis.

II. Employment Visa shall not be granted for jobs for which qualified Indians are available. Employment Visa shall also not be granted for routine, ordinary or secretarial/clerical jobs.

III. The foreign national should be seeking to visit India for employment in a company/ firm/organization registered in India or for employment in a foreign company/ firm/organization engaged for execution of some project in India.

IV. The foreign national being sponsored for an employment visa in any sector should draw a salary in excess of US\$ 25,000 per annum. However, this condition of annual floor limit on income will not apply to (a) Ethnic cooks, (b) Language teachers (other than English language teachers) / translators, (c) Staff working for the concerned Embassy/ High Commission in India and (d) Foreigners, eligible for 'E' visa for honorary work with the NGOs registered in the country without salary. The application for Employment Visa may be rejected by the Indian Mission /Post concerned in case the minimum annual income benchmark of US\$25,000 is not met, except in the case of the four categories mentioned above.

V. The foreign national must hold a valid passport, and a re-entry permit if that is required under the law of the country of nationality of the applicant.

VI. The foreign national must comply with all legal requirements like payment of tax liabilities etc.

VII. The foreign national must submit proof of his/her employment or contract or engagement by the company/firm/organization in India.

VIII. The foreign national must submit documentary proof of his educational qualifications and professional expertise.

IX. The documents/ papers pertaining to the proposed employment, like the registration of the company under the Companies Act, proof of registration of the firm in the State Industries Department or the Export Promotion Council concerned, or any recognized promotional body in the field of industry and trade etc. will be thoroughly checked to decide the category of visa that may be issued to the foreigner.

X. The name of the sponsoring employer / organization shall be clearly stipulated in the visa sticker.
