

Discrimination against Indian software companies by US

3582. SHRI A. ELAVARASAN : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether India proposes to take the US to the World Trade Organization (WTO) disputing discrimination against the Indian software companies which are being asked to pay higher H1B and L1 visa fee for their employees than the American firms for bringing more number of skilled immigrants to their country at lesser cost;

(b) if so, the details thereof;

(c) whether it is a fact that four top Indian firms, TCS, Infosys, Wipro and Mahindra Satyam were to pay significantly higher fees while the larger American high-Tech firms which bring higher number of skilled immigrants into the US would not be affected; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) The *Emergency Border Security Supplemental Appropriations Act, 2010*, substantially increases the fees for H1B and L1 categories of visas for applicants that employ more than 50 employees in the United States or have more than 50 per cent of their employees admitted on non-immigrant visas (the “50/50 rule”) which is *prima facie* discriminatory for Indian companies. Department of Commerce proposes to seek consultations with the USA under the Dispute Settlement Understanding (DSU) of WTO.

(c) and (d) The Indian firms including TCS, Infosys, Wipro and Mahindra Satyam who fall in the ‘50/50’ rule appear liable to pay higher visa fees. No comments can be made on the exact impact on the US firms of the above US law at this stage.

Limited imports through Wagah land route by Pakistan

3583. SHRI ANIL DESAI :

SHRI SANJAY RAUT :

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

(a) whether it is a fact that Punjab-based traders have expressed disappointment over Pakistan’s move to allow only limited imports through land route;

(b) whether it is a fact that Pakistan had allowed import of only 137 items through Wagah land route which are already in vogue; and

(c) if so, what steps Government is taking to allow maximum number of products for export to each other's country?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) Yes Sir.

(b) Yes Sir.

(c) In the Joint Statement issued after bilateral meeting between Commerce Ministers of India and Pakistan (April 2012), both sides agreed to take all further action to encourage greater trade through the new Integrated Check Post at Attari. It was also agreed that Pakistan will take necessary steps to remove extant restrictions on items permitted to be imported through the land route.

Removal of protectionist trade barriers by SAFTA nations

3584. SHRI MOHD. ALI KHAN : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether India has asked South Asian Free Trade Agreement (SAFTA) member countries to remove all protectionist trade barriers to achieve regional economies of scale at a faster pace; and

(b) if so, the details thereof and response received so far?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) Yes Sir.

(b) This issue is being discussed in the trade related meetings of the South Asian Association for Regional Cooperation (SAARC) countries. There is a general consensus amongst the SAFTA member countries to liberalize the SAFTA trading arrangements and to remove the trade barriers. This progress is ongoing in consultation with the stakeholders.

Missing files on post 1914 era of Sino-Indian relations from National Archives

3585. SHRI T.M. SELVAGANAPATHI : Will the Minister of CULTURE be pleased to state:

(a) whether it is a fact that crucial files on the post 1914 era of Sino-Indian relations are missing from the National Archives in New Delhi;

(b) if so, the details thereof;