

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