

Impact of Tier-2 visa rule by U.K.

1833. SHRI DEVENDER GOUD T.: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) how the Ministry looks at the new British rule that professionals living and working in Britain on a Tier-2 Visa and earning less than 35,000 pounds annually could be deported after five years;
- (b) whether it is not a violation of WTO rules;
- (c) how many Indians are likely to be hit due to the above rule;
- (d) how the Ministry is planning to discuss and resolve the issue through diplomatic and political channels; and
- (e) if U.K. refused to budge, will the Ministry knock at the doors of WTO as has been done in the case of U.S.?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) In 2012, the UK government announced that from 6th April, 2016, those applying for settlement from Tier-2 and who entered Tier 2 after 6th April 2011 must be paid at least £35,000 salary p.a. This means that those non-EU migrants who came to UK after 6th April 2011 and want to apply for settlement/permanent residency/indefinite leave to remain after five years of staying in the UK on Tier-2 visa must have at least £35,000 salary p.a. The new rules also do not apply to anyone who entered the country on a Tier 2 visa on or before 5 April 2011.

Workers who cannot satisfy the salary requirement will not be able to stay in the UK for longer than six years. They will be able to apply for another Tier 2 visa after they have completed a 12 month 'cooling off period outside the UK. Further, there are exceptions to the salary threshold rule for occupations on Shortage Occupation List.

Tier 2 visas are usually valid for a maximum of six years. They give the possibility of applying for Indefinite Leave to Remain/Permanent Residency after five years' residence in the UK. The new rules that came into effect on 6th April 2016 would mean that those non-EU migrants who came to UK after 6th April 2011 and want to apply for settlement/permanent residency to remain after five years of staying in the UK on Tier-2 visa must have at least £35,000 salary p.a.

(b) and (e) Does not arise as the said matter relates to settlement/permanent residency/indefinite leave to remain after five years of staying in the UK on Tier-2 visa'.

On the other hand, GATS/WTO deals with temporary entry and specifically excludes residency or employment on a permanent basis from its purview.

(c) UK Home Office Impact Assessment conducted in 2012 estimated that around 16% of Tier 2 migrants would no longer qualify for permanent settlement due to the salary threshold. But there is no specific official data available on the impact of these visa changes on Indian migrants in particular.

(d) The Government of India has taken up the matter bilaterally with the UK government at various levels and expressed concern over the changes in the UK visa rules.

Oil-for-drugs proposal with Venezuela

1834. SHRI DEVENDER GOUD T.: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that India has put-forth oil-for-drugs proposal before Venezuela as it is struggling to pay money to our pharma companies;

(b) if so, the details of the proposal; and

(c) whether Venezuela is willing to accept this agreement?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) The Government of India has put-forth an 'Oil for Export Mechanism' between Government of Venezuela and Government of India to settle pending payments of Pharma companies.

(b) The proposal seeks to work out a mechanism to offset payments which are to be made to oil companies of Venezuela against due payments of Indian entities.

(c) There has been no response from Venezuelan side.

Reconstitution of Coffee Board

1835. SHRI OSCAR FERNANDES: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government has reconstituted the Coffee Board and if so, the details thereof;

(b) whether Government is in violation of Rule 8 of the Coffee Rules, 1955 in reconstituting the Board before the completion of the previous term for members, and if so, the details thereof; and