

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

STARRED QUESTION NO:74
ANSWERED ON:05.12.2003
EMPLOYMENT OF LOCAL EXPERTS IN CONSTRUCTION SECTOR
T.T.V. DHINAKARAN

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

- (a) the commitments made by foreign countries under General Agreement on Trade in Services (GATS) and World Trade Organisation (WTO) in respect of employment of local experts and skilled workers in their construction projects in India;
- (b) the manner in which the deployment of foreign experts by such companies in India is regulated;
- (c) whether any violation of commitments by foreign companies has come to light so far;
- (d) if so, the details thereof; and
- (e) the reaction of the Government thereon?

Answer

MINISTER FOR COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY)

(a) to (e) : A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) OF THE LOK SABHA STARRED QUESTION NO. 74 FOR DECEMBER, 2003, REGARDING EMPLOYMENT OF LOCAL EXPERTS IN CONSTRUCTION SECTOR

(a): Commitments under the General Agreement on Trade in Services (GATS) with regard to employment of local experts and skilled workers in foreign construction projects in India cannot be made by foreign countries. Grant or denial of access for specific categories of service providers in the Indian market can only be done by India. As per India's existing commitments under the GATS, access is only available for employees of foreign juridical persons, at the level of managers, executives and specialists, who are transferred for a temporary period to a branch or representative office of that firm in India or an Indian firm under its ownership or control.

(b): The deployment of foreign service personnel by foreign companies in India is subject to grant of employment visa by the immigration authorities. Such visas are granted only after establishing that the employment is at a senior level or a skilled position and that there is proof of contract with an Indian firm.

(c) to (e): In view of (a) above, do not arise.