

## **TO WHOM IT MAY CONCERN**

I am here to make you aware of the entirely Injustice done to us by the Government of Australia. I Padamdev Kalia, an Indian applied for the Australian visa on 5 February 2007 under permanent (BN subclass 136 Independent) GSM visa on nominated occupation as Refrigeration and Air-conditioning Mechanic. The process went for three and half years which was more than the given processing time i.e. 8 to 12 months.

Sir, I would like to express my personal opinions about this Injustice. I was sure to get my visa granted unfortunately all my efforts were only a pipe dream on the day when I got the information of my capped and ceased visa on 7<sup>th</sup> July 2010. I had been waiting for my visa for a long period because all my documents were genuine and every reason of getting visa was apt. *I do not believe that refugees arriving by boats are the key migration issue facing Australia, nor should population policy be simply equated to migration policy.*

*In particular I ask you to consider the following:*

- *No legislation giving Ministerial powers to "Cap and Cease" visa applications after they are lodged;*
- *A review of the Business Migration Program to meet current Australian skills shortages and business needs;*
- *Any review of the Employer Nominated Skilled Program should not disadvantage temporary workers looking for permanent residency;*
- *A balance across humanitarian, family and skilled migration categories, and temporary and permanent entrants;*
- *A return to a more bipartisan and humane approach to migration across all categories of visas;*
- *A restoration of confidence for those who wish to settle as skilled workers here and*
- *Any population policy must value the economic and social contribution of migration.*

*Skilled workers who legitimately applied and paid to work with permanent residency blocked unfairly, and the industry already have skill shortage is feeling the effects, with a predicted fall or skilled migrants over the next year.*

*Cap and Cease legislation also has created uncertainty for potential migrants, destroying their legitimate plans for the future and putting their lives on hold for years. To invite people to apply to permanent to Australia, lodge their applications and pay their money, and then left them by an act of a Minister is shameful. Against natural justice, and is based bias. It is not the fault of applicants to keep their applications pending for three years. It may be justify if it is taken at initial stage and such condition if any was brought in to the notice applicants at the time of submissions. The action of minister is based on inhumanity and might be consequential prize for investment of faith and money in Australia. Whatever analyzing reasons have been used to validating minister's decision will be well known in Australia's future.*

*Capping and Ceasing of valid pre-September lodged applicants is like selling of country's pride for the sake of money and cheap politics by an unfettered power wielded by a single*

*Minister. A better, fairer way to manage the flow of skilled migrants would be to stop initial applications, rather than Capping and Ceasing retrospectively.*

*The succession of drastic and often retrospective changes that feature in the Migration Program damage Australia's reputation abroad, making this country an unattractive destination for workers, students, families and migrants. A public inquiry should be held into the General Skilled Migration (GSM) program as it is becoming dysfunctional, ineffectual and cumbersome, and may lead to another major skills shortage.*

*I respectfully ask that you should change the Capped and Ceased decision and for the introduction of an effective review of the implementation . I hope you will play a part in restoring our standing and reputation as a desirable and fair country in which to live, work and study.*

So, I hope that the new Australian Government will think on our aspects and keep in mind with moderation and compassionately and also will find impartial solution so it will put a precious contribution in the Australian economy and make stout relations with the entire world. We shall be very thankful for this purpose of kindness.

REGARDS,  
**PADAMDEV KALIA**