

Federal Court



Cour fédérale

Date: 20251118

Docket: IMM-18822-24

Citation: 2025 FC 1834

Vancouver, British Columbia, November 18, 2025

PRESENT: Madam Justice McDonald

BETWEEN:

TARLOCHAN SINGH

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

[1] The Applicant is a citizen of India who seeks judicial review of the refusal of his application for a work permit to work as a truck driver in British Columbia. The Applicant has experience as a truck driver from employment in Dubai, United Arab Emirates (UAE).

[2] His work permit was refused on several grounds, including the information provided in response to a request that he provide “a listing of all traffic violations and or fines you have paid in the UAE”. The Dubai Police Traffic Clearance Certificate provided showed that the Applicant had three traffic infractions between 2017 and 2018.

I. Issue and standard of review

[3] The only issue is if the Officer’s decision is reasonable, namely whether the decision is transparent, justified and intelligible and within the range of possible, acceptable outcomes based on the evidence and law (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 86).

II. Analysis

[4] The Applicant challenges the reasonableness of the decision on several grounds. I will first address the issue about his driving record. Essentially the Applicant argues that the Officer unreasonably considered his driving record because the traffic infractions were not serious and that the Officer should have followed up with the Applicant for more information on these infractions.

[5] The Officer’s consideration of the traffic infractions is outlined in the Global Case Management System (GCMS) notes:

Based on the documentation submitted, I am not satisfied that the applicant will be able to adequately perform the proposed work given their: Applicant initially submitted a Dubai Police Traffic Clearance Certificate that indicated all traffic violations had been

paid. Applicant was requested to submit a listing of all traffic violations/fines paid. While the applicant has provided evidence of three traffic violations/accident traffic fines history, applicant has not provided sufficient information that demonstrates what the violations were for. Further I note two of the three fines incurred late charges. Less weight is given to the rationale of when the fines occurred. I consider that being able to assess the applicant's level of adherence to the traffic rules and regulations of the UAE is an important factor in determining the likelihood of the applicant adhering to the traffic rules and regulations of Canada, and therefore whether he can perform the work sought and in a way which does not put the safety of Canadians at risk.

[6] In my view, the Officer's assessment of this information is reasonable. The Traffic Clearance Report stated that the Applicant had three offences but did not include any information on the nature of the offences. The Officer noted the importance of being able to evaluate the Applicant's compliance with traffic rules and regulations, to evaluate the likelihood of the Applicant completing the work sought in a manner that does not jeopardize the safety of Canadians. This was clearly a relevant and important consideration.

[7] Additionally, this Court has emphasized that "in the case of a long-haul truck driver, safety must surely be a paramount requirement for competence" (*Sangha v Canada (Citizenship and Immigration)*, 2020 FC 95 at para 42) and has upheld decisions by immigration officers where they were unsatisfied that the applicant could safely complete the work sought, despite years of experience (*Singh v Canada (Citizenship and Immigration)*, 2022 FC 80 at para 16).

[8] The evidence before the Officer demonstrated that the Applicant had traffic offences, but the Applicant did not explain the circumstances of the offences. The Officer was tasked with

determining whether the Applicant could safely conduct the work sought in Canada and reasonably found this evidence insufficient. The fact that these offences were not significant enough to incur “black points” does not make the Officer’s conclusion unreasonable.

[9] Ultimately, the Applicant bore responsibility for providing sufficient evidence to satisfy the Officer of all requirements for his work permit and the Officer was under no obligation to request additional information to supplement the Applicant’s insufficient application (*Singh v Canada (Citizenship and Immigration)*, 2012 FC 526 at paras 52-54).

[10] This conclusion, on its own, is sufficient to support the reasonableness of the Officer’s refusal of the Applicant’s work permit application. Nonetheless, I will address the Applicant’s other arguments.

[11] The Applicant also attacks the Officer’s conclusion that the Applicant does not have significant family ties outside Canada. The Applicant’s work permit application included an affidavit where he stated that he spoke daily to family in India, including his mother, father, and spouse. According to the Applicant, the fact that the Officer did not mention this evidence indicates that it was not considered.

[12] I acknowledge there are decisions where the Court found that officers unreasonably omitted analysis justifying why they gave applicants’ family ties reduced weight (see, for example, *Singh v Canada (Citizenship and Immigration)*, 2021 FC 691; *Singh v Canada*

(*Citizenship and Immigration*), 2021 FC 1107; *Singh v Canada (Citizenship and Immigration)*, 2022 FC 1718).

[13] Here, however, the Officer acknowledged the Applicant's family ties in India, but gave these ties reduced weight because the Applicant had lived away from them since 2017 and was attempting to move further away from them. The Officer's conclusion on this point was a finding of fact, and this Court has emphasized that "an immigration officer's assessment for a work permit should be given a high degree of deference due to the fact-specific nature of these decisions and because the officers are presumed to be experts in the applicable criteria" (*Sebastian v Canada (Citizenship and Immigration)*, 2025 FC 1468 at para 11).

[14] The Applicant also takes issue with the Officer's assessment of his establishment in the UAE. The Applicant submits that this was an irrelevant consideration, because he is a citizen of India whose family is in India.

[15] In my view, the Officer's assessment of the Applicant's ties to the UAE is a relevant consideration, as the Officer is tasked with determining whether the Applicant had sufficient ties outside of Canada to incentivize his departure after his authorized stay. The Officer noted that the Applicant had demonstrated limited ties to India; therefore it was reasonable for the Officer to assess: whether the Applicant had sufficient ties in the UAE, where the Applicant has lived and worked since 2017. The Officer found that any ties the Applicant had to the UAE would be severed upon departure and thus would not incentivize the Applicant to leave Canada.

[16] Finally, the Applicant argues that the Officer did not consider his history of compliance with UAE's immigration laws since 2017. While a positive history of compliance with immigration laws may support finding the Applicant would leave Canada after his authorized stay, this point does not address the Officer's safety concerns.

III. Conclusion

[17] This judicial review is dismissed. There is no question for certification.

JUDGMENT IN IMM-18822-24

THIS COURT'S JUDGMENT is that:

1. This judicial review is dismissed.
2. There is no question for certification.

"Ann Marie McDonald"

Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET: IMM-18822-24

STYLE OF CAUSE: SINGH V MCI

PLACE OF HEARING: VANCOUVER, BRITISH COLUMBIA

DATE OF HEARING: NOVEMBER 10, 2025

JUDGMENT AND REASONS: MCDONALD J.

DATED: NOVEMBER 18, 2025

APPEARANCES:

Richard Kurland

FOR THE APPLICANT

Artemis Soltan

FOR THE RESPONDENT

SOLICITORS OF RECORD:

Kurland, Tobe
Vancouver, British Columbia

FOR THE APPLICANT

Attorney General of Canada
Vancouver, British Columbia

FOR THE RESPONDENT