

Federal Court



Cour fédérale

Date: 20250908

Docket: IMM-18826-24

Citation: 2025 FC 1478

Ottawa, Ontario, September 8, 2025

PRESENT: The Honourable Justice Fuhrer

BETWEEN:

Simranpreet KAUR

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

I. Overview

[1] The Applicant, Simranpreet Kaur, is a citizen of India who was refused a Post Graduate Work Permit [PGWP] after completing the second of two one-year certificates at Bow Valley College. Ms. Kaur seeks to have the refusal set aside.

[2] The sole issue for determination is the reasonableness of the officer's refusal of the PGWP [Decision]. I find there are no circumstances here that displace this presumptive standard of review: *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 [Vavilov] at paras 10, 17, 25.

[3] The onus is on an applicant to demonstrate that they meet the eligibility requirements for a PGWP: *Iqbal v Canada (Citizenship and Immigration)*, 2024 FC 1836 at para 27. Further, the brevity of reasons, in itself, is not a sufficient basis on which to find a decision-maker's decision unreasonable: *Zeifmans LLP v Canada*, 2022 FCA 160 at para 9. The Court must consider whether the reasons, albeit brief, are sufficient to permit the Court to understand the decision-maker's rationale: *Israni v Canada (Citizenship and Immigration)*, 2021 FC 1051 at para 5.

[4] Having considered the parties' written material and their oral submissions, I am unable to conclude that the Decision was unreasonable, notwithstanding the harshness of the result for Ms. Kaur. As I next explain in more detail, this judicial review application will be dismissed.

II. Decision Under Review

[5] The Global Case Management System [GCMS] notes which contain the officer's reasons for the PGWP refusal are brief. They state, "To be eligible for a Post Graduate Work Permit, clients engage in full-time studies at a designated learning institution for all semester [sic] except for regularly scheduled breaks and the final semester, client was part time in Fall-2023 which is not a regularly scheduled break and is not considered a final semester. As such application is refused as per R205 (c)(ii), refusal letter sent to client on this date, refunds initiated."

[6] The Decision turns on the reasonableness of the officer's determination that the fall 2023 semester of Ms. Kaur's second certificate program was not the "final semester" or "final academic session" in the context of the eligibility requirements for the PGWP. I am not persuaded that it was unreasonable in the circumstances.

III. Analysis

A. *The Decision is Not Unreasonable*

[7] Ms. Kaur argues that the GCMS notes fail to elaborate why the fall 2023 semester, prior to her winter 2024 work placement (i.e. the final requirement to complete the second certificate), did not qualify as her "final semester." There is no dispute that during the fall 2023 semester, Ms. Kaur took only one 3-credit course (i.e. that she had part-time status), instead of meeting the 9-credit minimum to maintain full-time status as determined by Bow Valley College. Her evidence is that it was a course she retook to improve her GPA to meet the College's requirements for undertaking the field placement.

[8] To be eligible for a PGWP, an applicant essentially must demonstrate that they: 1) completed a program of study at a PGWP-eligible designated learning institution that was at least 8 months long; 2) maintained full-time status as a student in Canada during each semester of their study program, except for the final semester where part-time study is permitted; 3) applied for a PGWP within 180 days of confirmation of the completion of their program; and 4) held a valid study permit at some point after completion of their program, and prior to submitting their PGWP application: *Immigration and Refugee Protection Regulations*, SOR/2002-227, s

205(c)(ii); and IRCC's operational instructions guidelines "Post-Graduation Work Permit (PGWP) [R205(c) – C43] – International Mobility Program" [PGWP-PDI].

[9] The Immigration, Refugees and Citizenship Canada [IRCC] website also describes the general eligibility requirements for a PGWP. The requirements include maintaining "full-time status as a student in Canada during each semester of your study program." A recognized exception is "studying part-time during your final semester."

[10] In arguing that a work placement cannot be considered "studying" or "academic," Ms. Kaur points to the somewhat different wording for the exception – "final academic session," as opposed to "final semester" – in the PGWP-PDI. She submits that eligibility for the field-work component of the program required that she first complete her coursework. Ms. Kaur thus reasons that her last academic session had to be the fall 2023 semester because it was the last session during which she was studying or otherwise completing academic work before the winter 2024 field placement.

[11] The Respondent Minister of Citizenship and Immigration counters that the GCMS notes show the Officer relied on Ms. Kaur's transcript from Bow Valley College indicating that she still had her winter 2024 field placement left to complete after the end of the fall 2023 semester. Pointing to this Court's decision in *Khullar v Canada (Citizenship and Immigration)*, 2024 FC 1655 at para 10, the Minister argues that the Decision was reasonable because Ms. Kaur's graduation depended on her completion of the field placement in the winter semester; this means that the fall semester could not have been her final semester in the program.

[12] I agree with the Minister's submissions. Ms. Kaur provides no support for her contention that the fall semester was not her final academic session because a work placement, by definition, cannot be considered "studying" or "academic." There is no question that the winter 2024 field placement was required for Ms. Kaur to complete her program. As is evident from the transcript for the second certificate program contained in the certified tribunal record, Ms. Kaur received credits for having completed this portion of the program. Although the Applicant's Memorandum of Argument characterizes the field placement as a practicum or co-op term, as distinct from other coursework, the transcript itself contained in the certified tribunal record does not support the characterization. The transcript shows that the field placement was assigned a Course Code and Course Title, and also shows Credits Attempted and Credits Earned for the course.

[13] I add that, for the first time in oral argument at the hearing of the judicial review application, the Minister objected to the inclusion of co-op and practicum work permits in the Applicant's Record, on the basis that there was no evidence this material was before the Officer. Ms. Kaur replied that they would have been within the Officer's purview. I do not agree necessarily with the reply contention. That said, because of the lateness of the Minister's submission and the consequent prejudice to Ms. Kaur, I have disregarded the objection.

[14] The Minister argued, in the alternative, that if the Court were to have regard to the work permits, this should include the remarks/observations at the bottom of the documents. The Minister pointed to the third of three work permits which contains the following note:

AUTHORIZED TO UNDERTAKE EMPLOYMENT WHICH
FORMS INTEGRAL PART OF STUDIES AS CERTIFIED BY

THE EDUCATIONAL INSTITUTION. EMPLOYMENT
PRACTICUM CANNOT FORM MORE THAN 50% OF THE
TOTAL PROGRAM OF STUDY.

Although the remarks/observations are slightly different in each case, they all convey the idea of the essential or integral nature of the employment or work to the course or program of study.

[15] In the circumstances, and taking into account the institutional context, I find that Ms. Kaur's arguments demand a level of perfection in the Officer's reasons that is not warranted: *Vavilov*, above at para 91. I add that, while it may have been open to the Officer to make a different assessment based on the evidence, this does not mean that the assessment the Officer made was flawed: *Krishnapillai v Canada (Minister of Citizenship & Immigration)*, 2007 FC 563 at para 11; *Solis Mendoza v Canada (Citizenship and Immigration)*, 2021 FC 203 at para 43. When considering the reasonableness of an administrative decision, the Court generally will defer to a reasonable interpretation made by an administrative decision-maker, even if other reasonable interpretations may exist: *Oria-Arebun v Canada (Citizenship and Immigration)*, 2019 FC 1457 at para 26. Here, I am not persuaded that it was unreasonable for the Officer to conclude that the fall 2023 semester was not the final semester.

IV. Conclusion

[16] For the above reasons, I conclude that Ms. Kaur has not met her burden of showing the Decision was unreasonable. This application thus will be dismissed.

[17] Neither party proposed a serious question of general importance for certification. I find that none arises in the circumstances.

JUDGMENT in IMM-18826-24

THIS COURT'S JUDGMENT is that:

1. The Applicant's judicial review application is dismissed.
2. There is no question for certification.

"Janet M. Fuhrer"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-18826-24

STYLE OF CAUSE: SIMRANPREET KAUR v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: CALGARY, ALBERTA

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APPEARANCES:

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