

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

RAJYA SABHA

**UNSTARRED QUESTION NO. 371
TO BE ANSWERED ON 06.02.2019**

RATIFICATION OF THE GUIDELINES OF ILO

371. DR. AMEE YAJNIK:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether Government has ratified the guidelines of ILO regarding the existing labour laws in the country;**
- (b) if so, the details thereof and if not, the reasons therefor; and**
- (c) the details about the action taken/current status regarding the ratification issue, so far?**

ANSWER

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI SANTOSH KUMAR GANGWAR)**

(a) & (b): The principal function of the ILO is to take care of the interests of the workers by means of setting up the international labour standards in the form of Conventions, Recommendations and Protocols which are discussed and adopted at the International Labour Conference of the ILO every year. ILO Conventions are international treaties, open for ratification by member countries. Ratification of an ILO Convention is a voluntary process. Once ratified, ILO Conventions create legally binding obligations on the member countries that ratify the particular Convention. As per the policy of Government of India, ILO Conventions are ratified only when we are fully satisfied that the existing laws and practices are in full conformity with the provisions of the said Convention. The implementation of Ratified ILO conventions is ensured by framing legislations and amending the existing laws in line with the provisions of the Conventions. As a result, every ratified convention in India is either backed by a supporting legal or policy framework or is embedded in the Constitutional guidelines which are adhered to in practice.

(c): India has so far ratified 47 Conventions & 1 Protocol out of 189 ILO Conventions including 6 out of 8 Core Conventions and 3 out of 4 priority/governance Conventions. The List of ILO Conventions ratified by India is attached as Annexure.

Annexure referred to in reply to part (c) of Rajya Sabha Un-starred Question No. 371 for 06.02.2019 regarding ratification of the guidelines of ILO by Dr. Ameer Yajnik.

List of International Labour Organization Conventions Ratified by India		
Sl. No.	No. and Title of Convention	Date of ratification
1.	No.1 Hours of Work (Industry) Convention, 1919	14.07.1921
2.*	No.2 Unemployment Convention, 1919	14.07.1921
3.*\$	No.4 Night Work (Women) Convention, 1919	14.07.1921
4.	No.5 Minimum Age (Industry) Convention, 1919	09.09.1955
5.	No.6 Night Work of Young Persons (Industry) Convention, 1919	14.07.1921
6.	No.11 Right of Association (Agriculture) Convention, 1921	11.05.1923
7.	No.14 Weekly Rest (Industry) Convention, 1921	11.05.1923
8.*\$	No.15 Minimum Age (Trimmers and Stokers) Convention, 1921	20.11.1922
9.	No.16 Medical Examination of Young Persons (Sea) Convention, 1921	20.11.1922
10.	No.18 Workmen's Compensation (Occupational Diseases) Convention, 1925	30.09.1927
11.	No.19 Equality of Treatment (Accident Compensation) Convention, 1925	30.09.1927
12.	No.21 Inspection of Emigrants Convention, 1926	14.01.1928
13.	No.22 Seamen's Articles of Agreement Convention, 1926	31.10.1932
14.	No.26 Minimum Wage-Fixing Machinery, Convention, 1928	10.01.1955
15.	No.27 Marking of Weight (Packages Transported by Vessels) Convention, 1929	07.09.1931
16.	No.29 Forced Labour Convention, 1930	30.11.1954
17.	No.32 Protection Against Accidents (Dockers) Convention (Revised), 1932	10.02.1947
18.@	No.41 Night Work (Women) Convention (Revised), 1934	22.11.1935
19.	No.42 Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934	13.01.1964
20.	No.45 Underground Work (Women) Convention, 1935	25.03.1938
21.	No.80 Final Articles Revision Convention, 1946	17.11.1947
22.**	No.81 Labour Inspection Convention, 1947	07.04.1949
23.	No.88 Employment Services Convention, 1948	24.06.1959
24.	No.89 Night Work (Women) Convention (Revised), 1948	27.02.1950
25.	No.90 Night Work of Young Persons (Industry) (Revised), 1948	27.02.1950
26.	No.100 Equal Remuneration Convention, 1951	25.09.1958
27.	No.107 Indigenous and Tribal Population Convention, 1957	29.09.1958
28.	No.111 Discrimination (Employment & Occupation) Convention, 1958	03.06.1960
29.	No.116 Final Articles Revision Convention, 1961	21.06.1962
30.#	No.118 Equality of Treatment (Social Security) Convention, 1962	19.08.1964
31.@@	No.123 Minimum Age (Underground Work) Convention, 1965	20.03.1975
32.	No.115 Radiation Protection Convention, 1960	17.11.1975
33.	No.141 Rural Workers' Organisation Convention, 1975	18.08.1977
34.	No.144 Tripartite Consultation (International Labour Standards) Convention, 1976	27.02.1978
35.	No.136 Benzene Convention, 1971	11.06.1991
36.##	No.160 Labour Statistics Convention, 1985	01.04.1992
37.\$	No.147 Merchant Shipping (Minimum Standards), 1976	26.09.1996
38.	No.122 Employment Policy Convention 1964	17.11.1998
39.	No.105 Abolition of Forced Labour, 1957	18.05.2000
40.\$	No.108 Seafarers' Identity Documents Convention, 1958	17.01.2005
41.	No.174 Prevention of Major Industrial Accidents	06.06.2008
42.	No. 142 Human Resources Development	25.03.2009
43.	No. 127 Maximum Weight	26.03.2010
44.	No.185 Seafarers' Identity Documents Convention (Revised), 2003	09-10-2015
45.@#	Maritime Labour Convention, 2006 (MLC 2006)	09-10-2015
46.	No. 138 Minimum Age Convention, 1973	13-06-2017
47.	No. 182 Worst Forms of Child Labour Convention, 1999,	13-06-2017
Protocol 1	P89 Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948	

* Later denounced, The Convention requires, internal furnishing of statistics concerning unemployment every three months which is considered not practicable.

@ Convention denounced as a result of ratification of Convention No.89.

** Excluding Part II.

Branches I and (g) and Branches (a) to (c) and (i).

@@ Minimum Age initially specified was 16 years but was raised to 18 years in 1989.

Article 8 of Part – II.

@# In accordance with Standard A4.5 (2) and (10), the Government has specified the following branches of social security: maternity benefit; invalidity benefit and survivors' benefit.

*\$ The conventions are not in force. These conventions has been abrogated with decision of the International Labour Conference at it 106th Session (2017).

\$ The convention is not in force. This convention has automatically denounced on 08 October, 2016 by convention C 185.

\$\$ The convention is not in force – This convention has automatically denounced on 08 October, 2016 by convention MLC 2006.
