

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:3080
ANSWERED ON:29.11.2010
WORKERS UNIONS
Das Gupta Shri Gurudas;Lingam Shri P.

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

(a) whether the Government's failure to ratify two International Labour Organisation (ILO) conventions 98 and 87 which provide for the right to form workers unions are stoking disputes over trade union recognition between managements and workers in the country; and

(b) if so, the details thereof and the reason for Government's reluctance to ratify these two ILO conventions?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT)

(a) & (b); Madam, the formation/recognition of Unions are governed in our country by statutes of Central and States Governments and are not dependent on ratification or otherwise of ILO Conventions Nos. 87 & 98.

Government is not ratifying ILO Conventions 87 and 98 as ratification would involve granting of certain rights to Government employees against the statutory rules, viz., to strike work, to openly criticize the Government policy and freely accept financial contribution, to join foreign organizations, etc. The Government employees in India enjoy exceptionally high degree of job security flowing from article 311 of our Constitution. Government employees also have grievance redressal machinery under the Joint Consultative Machinery (JCM) and the administrative tribunals.

The guarantees provided for under these Conventions are by and large available to Industrial workers in India by means of constitutional provisions, laws, regulations and practices.