

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

**LOK SABHA**

**UNSTARRED QUESTION NO. 4251  
TO BE ANSWERED ON 22.03.2021**

**LABOUR CODES**

**4251. SHRI A. NARAYANA SWAMY:  
SHRI KANUMURU RAGHU RAMA KRISHNA RAJU:**

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

- (a) whether it is true that India, while formulating the four Labour Codes, has failed to comply with International Labour Organisation (ILO)'s Convention-144;**
- (b) whether India will have to face a consequence, like condemnation or penalty and if so, the details thereof;**
- (c) the steps taken/being taken by the Government to do to mitigate the issue;**
- (d) the procedure to ensure that the Centre and States will comply with the to-be finalised Labour Code;**
- (e) whether the Ministry has recently convened a consultation meeting to discuss on the draft rules for labour codes and if so, the details thereof; and**
- (f) whether the Government has issued any guidelines/norms for payment of gratuity and if so, the details thereof?**

**ANSWER**

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

**(a) to (d): India, being a founding member of the International Labour Organisation (ILO) has deep respect for its principles and objectives. The Government of India has always upheld the basic tenets of tripartism. ILO has not commented about India's lack of compliance**

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**with ILO Convention -144 on Tripartite Consultations in implementing the four Labour Codes. The four Codes, namely, the Code on Wages, 2019, the Industrial Relations Code, 2020, the Occupational Safety, Health and Working Conditions Code, 2020 and the Code on Social Security, 2020 have been notified in Gazette of India. Prior to that the Government had done extensive consultations inviting all Central Trade Unions, Employers' Associations and State Governments. The Government had undertaken nine tripartite consultations on all the four Codes on 10.03.2015, 13.04.2015, 06.05.2015, 14.07.2015, 06.10.2015, 04.10.2017, 22.11.2018, 27.11.2018 and 05.11.2019 inviting all Central Trade Unions, Employers' Associations and State Governments. All these Codes were also placed on the website for inviting comments from all stakeholders including general public.**

**Further, all the Codes were referred to the Parliamentary Standing Committee on Labour for examination. The Parliamentary Standing Committee on Labour, in the process of examination of the Codes, had invited the views/suggestions from Trade Unions/Organizations/Individuals/Stakeholders and also took oral evidence of the representatives of Central Trade Unions and various other Associations/Organisations/Stakeholders. The reports of the Committee were taken into account before these Labour Codes were considered and passed by the Parliament.**

**(e): As a step towards implementation of four Labour Codes and to discuss the draft Rules on four labour Codes, tripartite meetings inviting representatives of all Central Trade Unions and Employers Associations were convened through Video Conferencing on 24th December, 2020 and 12th January, 2021. Third tripartite meeting was held on 20th January, 2021 in physical mode.**

**(f): No, Sir. However, the Industrial Relations Code, 2020 reduces the requirement of minimum continuous service in case of fixed term employees from five years to one year.**