

India

Labour statistics

- World second largest labour force 516.3 million (Population 1.21 billion as on 2011)
- 93% in unorganised sector
- Agriculture 17.5%, Industry 20% Services 60.3%
- Unemployment rate 10.7% - more underemployment

India & International labour standards

- India ratified 43 conventions so far
- Of the eight core conventions, India yet to ratify C.87 (FOA, RO) C.98 (RO & CB), C.138 (Min. age), C.182 (Child labour) conventions.
- Indian Labour Ministry officials informed that they are in the process of identifying C.132 first and then C.182

Reasons for non-ratification

- Can ratify the Conventions only when implementation of the provisions is fully achieved in Indian law and in practice;
- Ratification would involve the granting of union rights to government employees. This will affect their impartiality and political neutrality;
- Government employees in the country have fair working conditions and fair wages. They have alternative dispute redressal mechanisms such as the JCM and CAT;
- The guarantees of the two Conventions are by and large available to workers in India. National laws and constitutional provisions would suffice;

Constitutional provisions

- Article 19 (1) (c) – Freedom of Association;
- **Related Rights:**
- Article 19 (1) (a) – Freedom of Speech and Expression;
- Article 19 (1) (b) – Freedom of Assembly;
- Article 19 (1) (d) – Freedom of Movement

Government Employees

- Central [*or State*] Civil Service (Conduct) Rules & Central Civil Service (Recognition of Association) rules
 - Deny the right to set up unions
 - No collective bargaining rights
 - Prohibition or right to strike
 - Membership in service associations restricted to distinct category of employees
 - No adequate grievance addressal mechanism

Informalisation of workforce

- Increasing Casualisation, contracting and outsourcing of work in the organised sector
- Poor implementation of labour laws
- Entry of MNCs in public utilities like Water, Electricity
- Difficulties in registering trade unions
- No law for recognition of unions for Collective bargaining

Strategies

- Stronger Advocacy and political influence by the trade unions for ratification & application of ILO C. 87 & 98
- Trade Union education and awareness
- Promote use of ILO Supervisory mechanisms to protect rights
- Developing Unity among the unions and national centres

Actions / Activities

- National Trade Union Centres under one umbrella on 10 point agenda
 - No contractualisation of jobs of permanent nature
 - Assured Pension
 - Stoppage of disinvestment in Public Sector Undertakings
 - Ratification of ILO Conventions 87 & 98
 - Strict enforcement of Labour Laws
- Movements at the grass root, branch, district, State level held from 2011. One day national strike held on Feb 21, 2012 and two days strike on Feb 21 & 22, 2013 to press these points. Core Group of Ministers appointed to look at the demands.

- PSI affiliates met with the Labour Minister, Members of Parliaments and lobbied for legal rights for government employees.
- Joined the ILO National campaign for ratification of ILO Core conventions at National & Regional level.
- Prepared a model Conduct Rules and negotiating for changes in the Rules.
- Awareness and Momentum for campaign build through workplace activities.

- Monitoring the IFI projects to ensure CLS within the projects.
- Filing of court cases to ensure application of labour laws in projects.
- Raising the need for ratification of ILO C.151 for ensuring rights of public employees.