

**Memorandum of Understanding
On Labour, Employment and Manpower Development
Between
The Government of the Republic of India
and
The Government of the State of Kuwait**

The Government of the Republic of India and the Government of the State of Kuwait, hereinafter referred to as the 'Parties';

In assurance of the existing friendly relations between the governments and the people of both countries;

Desiring to foster bilateral relations in mutual interest between them;

And further desiring to promote cooperation and co-ordination in the field of labour, employment and manpower development, both parties have agreed upon the following:

Article (I)

To strengthen cooperation in labour and employment and manpower development.

Article (II)

To facilitate related services to adopt and develop such cooperation within the framework of the existing laws, rules and regulations of both countries.

Article (III)

To facilitate the mobilization and recruitment of manpower between the two countries within the framework of the existing applicable laws, rules and regulations in each country.

Article (IV)

To exchange visits and undertake to consult with each other, exchange expertise and to share knowledge and experience in all the issues concerning the labour force and employment opportunities.

Article (V)

The basic terms and conditions of employment and the rights and duties of both the employer and the employee shall be specified in the contract of employment which shall be in line with the relevant laws and regulations of the host country and shall not be changed to the detriment of the worker.

Article (VI)

The employer or the registered recruiting agency shall ensure that the employment contracts are authenticated by the:

- (a) Kuwait Chamber of Commerce and Industry or by the competent authority;
- (b) Kuwaiti Ministry of Foreign Affairs;
- (c) Indian Mission in the State of Kuwait;
- (d) Competent authority under the Ministry of Overseas Indian Affairs of the Republic of India.

Article (VII)

The employer in the host country shall issue the work permit along with the documents presented at the time of seeking approval as well as a copy of the authenticated employment contract to the worker within 2 months of his arrival in Kuwait.

Article (VIII)

In the settlement of labour disputes arising between employers and employees, the concerned government authorities, in accordance with their respective laws, rules and regulations, shall work towards an amicable settlement of the dispute.

In the event that efforts to amicably settle the dispute fail, it shall be referred to the appropriate court to be settled as per the laws of the host country.

Article (IX)

The parties will cooperate to take appropriate steps in coordination with the concerned authorities for the protection and the welfare of the workers who are not covered under the labour law of the State of Kuwait.

Article (X)

A Joint Working Group shall be constituted before the end of March 2008 to carry out the following tasks:

- a) ensure the implementation of this memorandum,
- b) propose revisions in the memorandum as may be necessary and to resolve difficulties in its implementation and
- c) study emerging employment opportunities and suggest measures for technical cooperation, training, skill enhancement and for sourcing technically skilled personnel in all fields for the mutual benefit of both parties.

The Joint Working Group shall meet once in six months alternately in each of the countries and whenever necessary on the request of either party.

Article (XI)

This Memorandum of Understanding shall be effective from the date of serving of final notice by both parties announcing that it has fulfilled the legal requirement to implement the Memorandum of Understanding and will be valid for a period of four years and will be renewed automatically for similar periods unless otherwise intimated by either of the parties through diplomatic channels, its desire to either terminate or amend the Memorandum, six months prior to its expiry.

Signed in Kuwait City on this Tuesday corresponding to the Tenth day of April 2007, in two originals, each in Hindi, Arabic and English, all texts being equally authentic. In case of conflict in interpretation, the English text shall prevail.

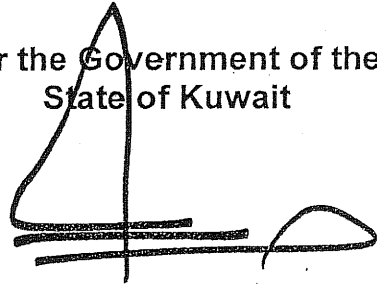
For the Government of the
Republic of India



Vayalar Ravi

Minister of
Overseas Indian Affairs

For the Government of the
State of Kuwait



Sheikh Sabah Khalid Al-Hamad
Al-Sabah
Minister of
Social Affairs and Labour