

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE REPUBLIC OF INDIA AND THE
KINGDOM OF BAHRAIN
ON LABOUR AND MANPOWER DEVELOPMENT**

The Republic of India and The Kingdom of Bahrain (herein after referred to as the parties),

Bearing in mind the friendly and cooperative relations existing between the two countries and their people;

Desiring to enhance the existing friendly relations between the two countries through developing cooperation in labour mobility and manpower development based on the principles of equality and mutual interest in accordance with the laws applicable in both countries and to provide for the protection and welfare of all categories of employees,

Recognizing the benefits to be derived by both countries from closer cooperation

Have agreed as follows:

Article 1

For the purposes of this memorandum of understanding:

The term "employee" means all temporary contractual expatriate employees employed in Bahrain for a certain period of time as per the contract after the expiry of which such employees will leave the Kingdom of Bahrain for India or any other country.

Article 2

The Ministry of Labour in Bahrain and the Ministry of Overseas Indian Affairs in India shall implement the provisions of this memorandum of understanding.

Article 3

The parties shall take measures to facilitate the mobilization and recruitment of manpower between the two countries and shall exchange visits and consult each other, exchange expertise and share knowledge

and experience in job creation and in generation of employment opportunities.

Recruitment of manpower in India and its entry into Bahrain shall be regulated in accordance with the relevant laws, rules and procedures of the two countries.

Article 4

Placement of manpower under this memorandum of understanding will be need based and all employees recruited shall be given protection under the labour law and regulation in Bahrain. The Parties agree to take appropriate steps for the protection and welfare of the Indian employees not within the purview of the labour law in Bahrain.

Article 5

Every demand for employees shall state the required specifications and qualifications for the jobs and types needed. It shall also include the duration of contract, the conditions of employment, including the salary agreed on, the end of service benefits, medical facilities, leave entitlement and other facilities such as transportation, accommodation etc.

Article 6

The terms and conditions of employment of employees in Bahrain shall be defined by an individual labour contract between the employee and the employer. This contract shall clearly state the rights and obligations of the two sides and shall be in conformity with labour laws of Bahrain. The employer shall not have the authority to amend or vary the provisions of the labour contract except for the purpose of improving the terms and conditions of service for the benefit of the employee. The employer, however, can terminate or change the contract if the employee or his recruiting agency had given false information regarding his qualifications or skills or experience.

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Article 7

The Arabic and English versions of the labour contract shall be the only authentic versions recognized by the Ministry of Labour and the law courts in Bahrain. In case of any disputes arising in relation to the provisions of the labour contract, between the employer and the employee Arabic version shall prevail when the dispute is referred to the authorities concerned in Bahrain.



Article 8

The employer in the host country shall give a copy of the employment contract to the employee within 2 months of his arrival in Bahrain.

Article 9

Employees shall have the right to remit all their savings to their country of origin or elsewhere in accordance with the financial regulations in Bahrain.

Article 10

In case of dispute between the employer and the employee, complaint shall be presented to the competent department in the Ministry of Labour to endeavor for an amicable settlement. If no amicable settlement is reached, the complaint shall be referred to the competent judicial authorities for settlement.

Article 11

The labour Contract shall be for a specified period of time and shall be subject to renewal as per the provisions of the labour law in Bahrain.

Article 12

1. The two parties shall establish a joint committee for the implementation of this memorandum of understanding in general and perform the following functions in particular:

- a. To review employment opportunities in Bahrain and availability of corresponding skills in India.
- b. To co-ordinate between the two states in the implementation of this memorandum of understanding and to take necessary action in this regard.
- c. To interpret the provisions of the memorandum of understanding in case of any dispute in this regard and to settle the difficulties that might arise in the implementation.
- d. To propose review or amendment of any of the articles of this memorandum of understanding whenever necessary.

2. The committee shall be composed of at least three members from each party, and shall meet at least once in six months alternately in Bahrain and in India.

Article 13

This memorandum of understanding shall enter into force on the date of its signing. This memorandum of understanding shall be in force for a period of four years and shall be automatically extended for four years

consecutively unless it is terminated in writing by either party by giving three months notice in advance.

In witness whereof the undersigned being duly authorized by their respective governments have signed this memorandum of understanding.

Done in 17th of June 2009 in Arabic and English languages, both texts are being equally authentic.

For the Kingdom of Bahrain

A stylized signature in black ink, consisting of a large loop followed by a horizontal stroke and a small upward flick.

Majeed Al Alawi
Minister of Labour

For the Republic of India

A stylized signature in black ink, featuring a large loop and a long, sweeping horizontal stroke.

Vayalar Ravi
Minister of
Overseas Indian Affairs