



DAILY EDITORIAL ANALYSIS

TOPIC

**WE NEED A LAW TO PROTECT
DOMESTIC WORKERS**

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Context

- The Supreme Court of India's directive to the Union government to enact a comprehensive law outlining the rights of domestic workers and to establish a committee for drafting the legislative framework remains shrouded in uncertainty, and progress remains slow.

Status of Domestic Workers in India

- India's domestic workforce is vast — estimates range from **4 million to 90 million workers**. The majority are women and girls, many from **Scheduled Caste (SC)** and **Scheduled Tribe (ST)** communities.
 - ♦ Their marginalised backgrounds and the private nature of domestic work expose them to **harassment, exploitation, and abuse**.
- According to the **Ministry of Labour & Employment**, there are **over 30.94 crore unorganized workers, including domestic workers**, who are registered on the **eShram portal** as of July 2025.
- **Work Conditions:**
 - ♦ Many work in isolation, often in multiple households.
 - ♦ Lack of oversight makes workplace inspections nearly impossible.
 - ♦ **Child labour and trafficking** remain rampant.
 - ♦ Employment is largely unregulated and mediated by exploitative agencies or brokers.

Key Gaps in Protection for Domestic Workers

- **Lack of Comprehensive Legislation:** India does not have a national law specifically protecting domestic workers.
 - ♦ Domestic workers are often excluded from minimum wage laws, maternity benefits, and social security schemes.
 - ♦ Many work without contracts, making it difficult to claim rights or report abuse.
- **Policy Failure:** The **National Platform for Domestic Workers (NPDW)**, founded in 2012, drafted the **Domestic Workers (Regulation of Work and Social Security) Bill, 2017**, but it was **never enacted**.
- **Gender and Caste Vulnerabilities:** Around 80% of domestic workers are women, many from SCs & STs, making them more vulnerable to exploitation.
- **Unpaid and Invisible Labor:** According to the **Time Use Survey**, women spend over 305 minutes daily on unpaid domestic services.
 - ♦ This unpaid labor is often unrecognized, limiting women's access to paid employment and financial autonomy.
- **Access to Social Infrastructure:** Domestic workers are often excluded from urban planning, lacking access to housing, healthcare, and sanitation.
- **Health and Safety Concerns:** During the pandemic, many domestic workers struggled to access vaccines due to high costs and lack of availability at government centers.
- **Workforce Participation Gaps:** Despite being a large segment of the labor force, women's participation remains **stagnant at 26%**, with domestic work often being **informal and underpaid**.
- **International Standard:** The **ILO's Convention 189 (2011)** established **global standards for domestic workers' rights**.
 - ♦ **India voted in favour** but has **not ratified** the convention.

Related Government Initiatives & Efforts

- **eShram Portal (2021):** Aims to register unorganized workers, including domestic workers.
 - ♦ Provides a **Universal Account Number (UAN)** for access to social security schemes.

- **Draft National Policy:** The Ministry of Labour & Employment is considering a **National Policy for Domestic Workers**, which includes:
 - ♦ Right to register as unorganized workers;
 - ♦ Minimum wages and social security;
 - ♦ Protection from abuse and exploitation;
 - ♦ Access to courts and grievance mechanisms;
- **Employment Generation Schemes:** Programs like **Atmanirbhar Bharat Rojgar Yojana (ABRY)** aim to incentivize employment and formalize labor, indirectly benefiting domestic workers.
- **National Platform of Domestic Workers (NPDW):** On International Domestic Workers Day (June 16, 2025), NPDW demanded:
 - ♦ A national law for the estimated 30 million domestic workers;
 - ♦ Inclusion in formal labor protections;

Case Studies: State-Level Initiatives

- **Tamil Nadu:** Operates a **Welfare Board** under the *Tamil Nadu Manual Workers Act, 1982*.
 - ♦ Registered workers receive **pensions, maternity benefits, and education aid**.
 - ♦ Despite a **minimum wage of ₹37–₹39/hour**, most earn far less.
 - ♦ Only a **small fraction** of workers are registered.
 - ♦ The Madurai Bench of the High Court has urged the State to draft **special legislation** for domestic workers.
- **Karnataka:** The **Domestic Workers (Social Security and Welfare) Bill, 2025** is a promising development. Provisions include:
 - ♦ **Mandatory registration** of employers and workers.
 - ♦ **Written contracts** specifying wages and hours.
 - ♦ **Minimum wages, overtime pay, and weekly holidays.**
 - ♦ Employer contributions of **5% of wages** to a welfare fund.
- These state models illustrate progress but highlight the need for **uniform national standards**.

Way Forward

- **Legislative Framework:** A **comprehensive national law** should consolidate protections across States.
 - ♦ All States must stipulate and regularly **update minimum wages**.
 - ♦ Registration of **employers, workers, and agencies** should be compulsory.
 - ♦ A **tripartite board** (employers, employees, State) should issue and maintain **workbooks** recording employment details.
- **Access to Justice and Safety:** Local-level **complaints committees** under the Sexual Harassment of Women at Workplace Act should be extended to **panchayats and urban bodies** for accessibility.
- **Social Protection and Housing:** Domestic workers deserve **continuous welfare support**, not just during crises.
 - ♦ **Housing and social security** should form part of long-term protective measures, especially for migrant workers.

Source: TH

Daily Mains Practice Question

[Q] Discuss the need for a comprehensive national law to protect domestic workers in India. Examine the socio-economic vulnerabilities faced by domestic workers and evaluate the role of legal recognition in ensuring their dignity and rights.

