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Protection of Right to Decent Work and Dignity for Domestic Workers: Analysis of The Constitutional, Legislative and Juridical Framework

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ABSTRACT

"No man is insignificant. All labor that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence" - MARTIN LUTHER KING

Among all categories of the informal sector, the protection of domestic workers forms one of the biggest challenges to labor laws. The intrinsic work associated in the day to day life of a domestic worker makes them more vulnerable than other workers in the economy. They work for non-business purposes. In this manner, the work involved being in a private space with lack of proper regulation and guidelines cause the domestic workers without basic protection. It is, in this manner, necessary to foster an arrangement of social security that can manage the cost of satisfactory assurance to domestic workers, with less involvement of the state in the issues of the family. This paper aims to review various research works related to social, psychological, economic, health, legal, and constitutional frameworks for domestic workers. In this segment, the findings highlight the information through which has been critically analyzed to establish the similarities, dissimilarities, and unaddressed areas of domestic workers.

These ideas have been made in the wake of undertaking an investigation of existing lawful arrangements for domestic workers in India and the accepted procedures from different jurisdictions that have seen relative achievement in providing social security to domestic workers. They emphasized from their research work that India holds up far behind other developing and developed nations in extending constitutional rights for domestic workers. The present study urges to study and reveal the various constitutional requirement for the protection of domestic workers.

This article is to look at the situation with Domestic Workers and the legitimate system for nice work for Domestic specialists in India. The examination is done considering the Constitutional command, legal proclamations and ILO's respectable work plan. The significance of Domestic work area and have to perceive ' Domestic work" as "work". The subsequent part tends to the vital difficulties and issues looked by homegrown laborers. The

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third part inspects the established and official structure that tries to safeguard the interest of Domestic Workers and guarantee them the right of respectable work. At last, it examines the significant legal proclamations with respect to the freedoms Of Domestic Workers

Keywords: *Domestic workers, Constitutional rights, Social security, lack of knowledge in realization of rights.*

I. INTRODUCTION

A Domestic Worker is an individual who works inside the business' family. They play out an assortment of family benefits for an individual or a family, from giving consideration to kids and older wards to housekeeping, including cleaning and family upkeep. They additionally perform different obligations like washing fabrics and pots, cooking, clothing and pressing, looking for food and undertaking other family tasks. Article 14, 21, 39 of the Indian Constitution gives a few rights to laborers. Abuse of Domestic Workers is an infringement of Article 21 of the Constitution. Domestic Workers are remembered for the sloppy areas and thus there are pragmatic challenges to cover them in any regulation. Enormous quantities of ladies are involved as a homegrown laborer in a metropolitan culture. The Unorganized Workers Social Security Act was passed in 2008 to accommodate the federal retirement aide and government assistance of chaotic specialists. As per this Act the Central Govt. will form reasonable government assistance plans for disorderly laborers on issue connecting with life and handicap cover, wellbeing and maternity benefits, advanced age security and the State Govt. may figure out plans connecting with opportune asset., business injury benefit, lodging, instructive plans for youngsters, ability up degree of laborers, burial service help and advanced age homes for chaotic specialists. However, this act doesn't explicitly makes reference to about homegrown specialists.

Domestic workers are a crucial component of many households around the world, and their work is often vital to the daily functioning of these households. Despite this, domestic workers frequently face unfair treatment, low pay, and little to no job security. This mistreatment not only harms the workers themselves but also undermines the overall goal of creating a just and equitable society. In order to protect the rights of domestic workers and ensure that they are treated fairly and with dignity, it is important to establish strong legal frameworks and standards. This can include everything from minimum wage laws to workplace safety regulations, as well as provisions for sick leave, vacation time, and other benefits.

One of the key ways to protect the rights of domestic workers is to recognize their work as a legitimate form of employment. This can be done through legal and policy reforms that establish

clear guidelines and standards for the treatment of domestic workers, including protections against discrimination and exploitation. It is also important to provide domestic workers with access to education and training programs that can help them develop the skills they need to succeed in their jobs. This can include everything from language classes to specialized training in areas like cooking, cleaning, and childcare.

Another important aspect of protecting the rights of domestic workers is to ensure that they have access to legal remedies in cases of abuse or mistreatment. This can include everything from reporting mechanisms for workplace violations to legal aid services that can help workers pursue justice and compensation. Ultimately, protecting the rights of domestic workers requires a collective effort from governments, employers, and society as a whole. This means recognizing the value of domestic work, creating policies and laws that protect workers' rights, and promoting a culture of respect and dignity for all workers.

In order to achieve these goals, it is important to work closely with domestic worker organizations, labor unions, and other stakeholders to develop effective strategies and policies. This can include everything from awareness-raising campaigns to advocacy efforts aimed at promoting policy change and improving working conditions for domestic workers. By protecting the rights of domestic workers and ensuring that they are treated with dignity and respect, we can help to build a more just and equitable society for all.

II. GENESIS OF DOMESTIC WORKERS

The genesis of domestic workers can be traced back to the early civilizations where wealthy families employed servants to perform household tasks such as cleaning, cooking, and childcare. In ancient Rome, for example, wealthy families would often employ slaves to work in their homes. During the Middle Ages, the feudal system of Europe meant that lords and ladies of the manor would have their own servants to attend to their needs.

As societies evolved, the practice of employing domestic workers continued, but the nature of their work and the way they were treated changed. In the 19th and early 20th centuries, many domestic workers were immigrants or people of color who were subject to discrimination and low wages.

Today, domestic workers continue to play an important role in households around the world, but there are efforts to improve their working conditions and ensure fair treatment. Many countries have laws to protect domestic workers and ensure that they receive fair pay and benefits, although there is still much work to be done to ensure that all domestic workers are treated with dignity and respect.

III. DEFINITION OF DOMESTIC WORKERS

Domestic Worker” means, a person who is employed for remuneration whether in cash or kind , in any house hold ‘or similar Establishments’ through any agency or directly, either on a temporary or contract basis or permanent, part time or full time to do the household or allied work and includes a “Replacement worker” who is working as a replacement for the main workers for a short and specific period of time as agreed with the main worker under section 1(f) of Domestic workers Welfare and Social Security Act 2010

A bill presented in Rajya Sabha, entitled ‘The Housemaids and Domestic Servants (Conditions of Services and Welfare) Bill, 2004’, has defined domestic worker as

(a) “domestic servant means any person who earns his livelihood by working in household of his employer and doing household chores”,

(b) “housemaid means a woman servant who performs household chores for wages

(c) “wage worker” means a person employed for remuneration in the unorganized sector, directly by an employer or through any contractor, irrespective of place of work, whether exclusively for one employer or for one or more employers, whether in cash or in kind, whether as a home-based worker, or as a temporary or casual worker, or as a migrant worker, or workers employed by households including domestic workers, with a monthly wage of an amount as may be notified by the Central Government and State Government, as the case may be.

(d) The International Labor Organization (ILO) defines domestic workers as "any person engaged in domestic work within an employment relationship." This includes housekeepers, cleaners, cooks, nannies, and caregivers. According to the ILO, there are an estimated 67 million domestic workers worldwide, with the majority of them being women and girls. Many of these workers are also migrant workers who have migrated to other countries in search of better opportunities

IV. RIGHT TO DECENT WORK AND DIGNITY FOR DOMESTIC WORKERS

The right to decent work and dignity is a fundamental human right that is enshrined in various international human rights instruments, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women. These instruments recognize that everyone has the right to work in conditions of freedom, equality, security, and human dignity. Unfortunately, domestic workers are frequently denied these rights, and they often work in conditions that are far from decent. Many are not entitled to basic labor protections, such as

minimum wage and working hour regulations, and they are often excluded from social security benefits and access to healthcare. Moreover, many domestic workers experience physical, sexual, and emotional abuse, which violates their right to dignity and leaves them vulnerable to exploitation.

To protect the right to decent work and dignity for domestic workers, there are various steps that can be taken. First and foremost, governments should recognize the important role that domestic workers play in society and take steps to ensure that they are afforded the same basic labor protections as other workers. This includes implementing minimum wage and working hour regulations, ensuring that domestic workers are entitled to paid leave and rest breaks, and guaranteeing access to social security and healthcare.

Furthermore, governments should take steps to combat the abuse and exploitation of domestic workers. This can include developing and enforcing laws that prohibit physical, sexual, and emotional abuse, and providing training to domestic workers and their employers on their rights and responsibilities. Governments can also establish complaint mechanisms that allow domestic workers to report abuse and seek redress for violations of their rights.

Civil society organizations also have a role to play in protecting the rights of domestic workers. They can provide legal assistance and support to domestic workers who have experienced abuse or exploitation, and they can engage in advocacy and public education campaigns to raise awareness of the issues facing domestic workers. Finally, employers of domestic workers also have a responsibility to ensure that the rights of their employees are respected. This includes treating domestic workers with respect and dignity, paying them fairly, providing them with adequate rest and time off, and ensuring that they work in safe and healthy conditions.

Domestic workers are often overlooked and undervalued despite their immense contribution to society. They are the ones who keep our homes clean, cook our meals, care for our children and elderly, and do many other important tasks. However, these workers, who are mostly women and migrant workers, are often subject to exploitation, abuse, and discrimination, and their rights to decent work and dignity are frequently violated. It is, therefore, imperative to ensure the protection of their rights, which are guaranteed by international human rights instruments..

Domestic workers often work long hours, have low wages, and lack job security, benefits, and protection. They also face physical, emotional, and sexual abuse, as well as harassment and discrimination based on their gender, race, nationality, and migrant status. These abuses not only violate their human rights but also have negative consequences for their health, well-being, and socio-economic status.

To protect the rights of domestic workers, various international human rights instruments have been developed, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. These instruments recognize the right to work, the right to just and favorable working conditions, the right to social security, and the right to be free from discrimination and violence.

Furthermore, in 2011, the ILO adopted the Domestic Workers Convention, which sets out the minimum standards for the protection of domestic workers' rights. The convention recognizes domestic workers' right to decent work, including the right to fair wages, working hours, social security, and protection against abuse and exploitation. It also obliges states to take measures to prevent and eliminate discrimination, ensure access to justice, and promote social dialogue.

Despite the existence of these instruments, the protection of domestic workers' rights remains inadequate. Many countries have not ratified the Domestic Workers Convention, and even in those that have, implementation and enforcement remain a challenge. Moreover, the COVID-19 pandemic has exacerbated the vulnerabilities and inequalities faced by domestic workers, with many losing their jobs, income, and protection.

To address these challenges, it is essential to strengthen the legal and policy frameworks for the protection of domestic workers' rights, including through ratifying and implementing the Domestic Workers Convention. Governments should also raise public awareness of domestic workers' contributions and rights and provide access to justice and remedies for victims of abuse and exploitation. Employers should ensure that domestic workers receive fair wages, working conditions, and protection, and respect their dignity and autonomy.

V. NATIONAL AND INTERNATIONAL INSTITUTIONS FOR THE PROTECTION OF DOMESTIC WORKERS' RIGHTS

The International Labour Organization (ILO) is a specialized agency of the United Nations that is dedicated to promoting social justice and improving working conditions around the world. The ILO has developed several international instruments to protect the rights of domestic workers, including:

1. Domestic Workers Convention, 2011 (No. 189) - this convention provides minimum standards for the protection of domestic workers, including the right to fair wages, decent working conditions, and access to social security benefits².

2. Domestic Workers Recommendation, 2011 (No. 201) - this recommendation provides guidance on how to implement the Domestic Workers Convention, including measures to protect domestic workers from abuse, exploitation, and discrimination.

3. Decent Work for Domestic Workers - this global campaign aims to raise awareness about the rights and needs of domestic workers, and to promote policies and practices that support their decent work³

4. In 2000, the UN Human Rights Commission declared domestic work as a form of contemporary slavery. They face lots of difficulties of various aspects. Some of the general problems faced by domestic workers are:

- Wage exploitation
- Excessive work hours
- Physical harm and sexual abuse
- Forced labour and trafficking
- Child labour
- Absence of leaves
- Inadequate living conditions and absence of healthcare compensation

The ILO also provides technical assistance and advisory services to governments, employers, and workers' organizations to help them implement these international instruments and improve the working conditions of domestic workers.

In India, there are various national institutions that are responsible for the welfare and protection of domestic workers. These institutions include:

5. Ministry of Labour and Employment: The Ministry of Labour and Employment is responsible for promoting the welfare and protection of workers, including domestic workers.

² International Labour Organization, Domestic Workers Convention, No. C189, Convention concerning Decent Work for Domestic Workers (2011).

³ United Nations (Mar. 21, 2023) <https://www.un.org/en/un-urges-protection-domestic-workers%E2%80%99-rights-during-covid-19-pandemic> .

It has formulated various policies and schemes for the welfare of domestic workers and works to ensure their rights and entitlements are protected.

6. National Domestic Workers Welfare Trust: The National Domestic Workers Welfare Trust is a non-profit organization that works towards the empowerment of domestic workers. It provides support and assistance to domestic workers and their families, including access to education, health care, and legal aid⁴.

7. National Commission for Women: The National Commission for Women is a statutory body that works towards the protection and promotion of women's rights. It has specific provisions for the protection of domestic workers, including the prevention of sexual harassment and exploitation⁵.

8. National Human Rights Commission: The National Human Rights Commission is an independent statutory body that works towards the protection and promotion of human rights. It has specific provisions for the protection of domestic workers, including the prevention of forced labor and exploitation.

9. State Governments: The state governments in India are responsible for the implementation of various laws and policies related to the welfare and protection of domestic workers. Many states have enacted specific laws for the protection of domestic workers, such as the Domestic Workers Welfare and Social Security Act.

Overall, these national institutions and international institutions work towards ensuring that domestic workers in India are provided with adequate protection and welfare, and their rights and entitlements are protected.

VI. CONSTITUTIONAL FRAMEWORK: RECOGNISING RIGHT TO DECENT WORK FOR DOMESTIC WORKERS

All work regulations in India tending to the lawful freedoms or limitation on working individuals will be in severe adherence to the arrangements of the Constitution of India. The requirement for protecting the interests of work and significance of respect of work has been revered in Part III and Part IV. The protected assurance of balance, communicated in the magistrate shaped by Articles 14, 15 and 16, looks for that there be uniformity for the most part as likewise for particularly distraught gatherings who are permitted to profit from positive

⁴ Government of Tamil Nadu, Tamil Nadu Domestic Workers Social Security and Welfare Scheme, 2007

⁵ Human Rights Watch (1998). Global Report of Abuses against Women Workers. Human Rights Watch Women's Project, 279, Oxford University Press, New Delhi.

separation⁶.

Besides, the order standards which should fill in as directing guides for the State, additionally recommend work correspondence and the finish of segregation. Articles 36 to Article 51 of the Constitution of India mirror the financial rules that are urgent to the administration of the country. Concerning Entries 22, 23 and 24 of List III of the VII Schedule, the articles have been given impact to⁷. It is consequently a question of public interest that for the homegrown specialists which are a significant lump of the disorderly populace comprising generally of ladies should be guaranteed consistency of work and nice help conditions⁸. In addition to the fact that there is a need to legally perceive the right of domestic workers to good work yet additionally to guarantee that such acknowledgment is solidly situated in Constitutional underpinnings for it to support a Constitutional test. Such a right of the specialists will exude from Fundamental Rights, for example, the right to life and individual freedom and the DPSP's as previously mentioned. It was at the 2005 World Summit and later at the July 2006 ECOSOC significant level fragment, that the United Nations embraced the ILO plan of Decent Work for there to be reasonable turn of events and molding of a fair globalization. It is basic that this plan laid out by ILO as a worldwide norm for guaranteeing good work to homegrown specialists should be added something extra to the Constitution of a country for it to acquire authenticity and acknowledgment.

VII. THE LEGISLATIVE FRAMEWORK (POLICIES AND REGULATIONS)

In India, the laws regarding domestic workers are currently not well-defined and comprehensive. The rights and protections of domestic workers are mostly governed by various state-level laws and policies, as well as court judgments.

As of now, there is no specific law at the central level that provides protection and regulation for domestic workers. However, the Ministry of Labour and Employment has proposed a draft Domestic Workers Welfare and Social Security Act, which aims to provide social security and other benefits to domestic workers. The draft is currently under discussion and has not been passed into law yet.

At the state level, some states have enacted laws and policies to protect the rights of domestic workers. For example, the State of Karnataka has passed the Karnataka Domestic Workers Welfare Board Act, which establishes a board to provide welfare measures for domestic

⁶ INDIA CONST. art.14, 15 and 16

⁷ INDIA CONST. Part III and IV

⁸ INDIA CONST. Schedule VII

workers. Similarly, the State of Kerala has enacted the Kerala Domestic Workers Welfare Board Act, which provides for the establishment of a welfare board for domestic workers.

Public Policy for Domestic Workers and the arrangement was drafted by the service of work and association, administration of India to defend the interests of homegrown laborers. The Act conceives a base compensation of Rs. 9,000 every month if there should arise an occurrence of full time family helps separated from different advantages like required leaves. With respect to the Indian homegrown specialists working abroad, the Draft National Policy states bars India from offering better treatment under reciprocal or multilateral instruments or plans. This arrangement was fused after the idea given by the Ministry of Overseas Indian Affairs that the public laws of the objective nation will apply to homegrown specialists who work abroad. Sadly, the strategy is as yet getting looked at regardless anticipates to be postponed before the Union Cabinet⁹.

1. Domestic Workers Welfare and Social Security Act, 2010.

The Domestic Workers Welfare and Social Security Act Bill, 2010 which was drafted by National Council of Women aims to be a comprehensive Central Legislation dealing with the working condition of the domestic workers. One of the important aspects is the provision for registration. It recognises that domestic workers are an important segment of service sector of Indian economy. It enables women particularly to maintain a healthy work life balance. However, six years have lapsed since the National Council of Women drafted the bill; no progress has been made since then.

2. Unorganized Workers' Social Security Act, 2008

Unorganized Workers' Social Security Act, 2008 was enacted to provide social security to the unorganized workers. Domestic workers are included in the definition of 'wage worker' to which the Act extends. The Act has constituted the National Social Security Board which recommends formulation of schemes for social security, viz. maternity benefits, old age security, and health cover for the unorganized work force¹⁰.

3. Child Labour (Prohibition and Regulation) Act, 1986.

The Act prohibits the employment of children below 14 years of age, in certain occupations. The ban on child labour includes employment of children in domestic work. The Act also provides that on a complaint by a domestic worker, the Local Committee in the presence of a prima facie case, forward the complaint to the police. This was seen to be a step towards the

⁹ Statement of Objects and Reasons, Domestic Workers Welfare and Social Security Act, 2010 (India)

¹⁰ Unorganized Workers' Social Security Act, 2008, §. 2(n). (India)

ratification by India of the United Nations Convention on Rights of the Child in 1992, wherein India had reservations vis-à-vis certain issues relating to child labour¹¹. Yet, according to the current conservative Government estimates, the numbers of children working in as laborers are as high as four million children under the age of fourteen years.

4. Minimum Wages Act, 1948.

The Domestic Workers are barred from the extent of the Minimum Wages Act, 1948. They are not covered under the 45 occupations to which the Act applies. There is an exemption for this overall principle as corrections achieved by the provinces of Karnataka, Kerala, Tamil Nadu, Bihar, Andhra Pradesh and Rajasthan in that they have set the lowest pay permitted by law rates determined for homegrown specialists. Rashtriya Swasthya Bima Yojna The health care coverage inclusion gave to the Below Poverty Line (BPL) families under the National Health Insurance Program (Rashtriya Swasthya Bima Yojna) sent off in 2007, is reached out to the homegrown specialists and their families.

5. Task Force for Domestic Workers In 2009

Ministry of Labour and Employment, Government of India had set up a task force in light of the vulnerabilities of the domestic workers. It was set up with an objective to deliberate on the issue of welfare and regulation of domestic workers with the decent work agenda as promulgated by the Convention on Domestic Workers, 2011 which was the one hundred and eighty ninth International Organization Convention that came into force on September 5, 2013. The primary rights given to the domestic workers given under the Convention are that of decent work, minimum wage and choice of place to live and spend leave.

In addition, several court judgments have recognized the rights of domestic workers and have provided them with some legal protections. For instance, the Supreme Court of India has issued several directions to state governments to ensure the welfare of domestic workers, including the provision of minimum wages, social security, and protection against exploitation.

Overall, the legal framework for domestic workers in India is still evolving, and there is a need for more comprehensive and uniform laws to protect their rights and welfare.

VIII. JUDICIAL PRONOUNCEMENTS

In a petition filed by the National Domestic Workers Welfare Trust, several important issues relating to the domestic workers were raised. The petitioner sought the direction from the apex court to guarantee minimum level of protection to domestic workers in accordance with the

¹¹ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, §. 11(1) (India)

Constitution of India. The demands included enactment of a comprehensive legislation ensuring protection to the domestic workers · Guaranteeing Minimum wages and other benefits such as weekly holidays · Ensuring safety of women and children working as domestic helps In response to this petition, the Central Government had argued that the Unorganized Sector Workers Bill, 2004 will guarantee all these benefits and will include domestic workers. Previous to the petition, the Domestic Workers were not included in the schedule of employment in the Unorganized Sector Workers Bill, 2004

1. National Campaign Committee for Domestic Workers v. Union of India (2011): In this landmark case, the Supreme Court of India directed the central and state governments to take steps to ensure the welfare and protection of domestic workers. The court recognized the vulnerability and exploitation faced by domestic workers and called for the implementation of a national policy to protect their rights.
2. Smt. Usha Das v. State of West Bengal (2010): In this case, the Calcutta High Court held that domestic workers are entitled to minimum wages and other benefits under the Minimum Wages Act, 1948. The court also directed the state government to ensure that employers comply with the provisions of the Act.
3. Baby Bai v. State of Kerala (2013): In this case, the Kerala High Court held that domestic workers are entitled to protection under the Bonded Labour System (Abolition) Act, 1976. The court directed the state government to take measures to identify and rehabilitate domestic workers who are victims of bonded labour.
4. Bharatiya Mazdoor Sangh v. State of Uttar Pradesh (2015): In this case, the Allahabad High Court held that domestic workers are entitled to social security benefits under the Unorganized Workers' Social Security Act, 2008. The court directed the state government to ensure that domestic workers are registered under the Act and provided with the necessary benefits.

These case laws highlight the need for greater protection and recognition of the rights of domestic workers in India. Supreme Court has taken active measures to secure the rights of labourers. In *People's Union for Democratic Rights v. Union of India*¹², Justice P N Bhagwati emphasized on the duty of the courts “to enforce the basic human rights of the poor and the vulnerable sections of the community and actively help in the realization of the constitutional goals.” Further, the Supreme Court in *Sanjit Roy v. State of Rajasthan*¹³ held that the State

¹² *People's Union for Democratic Rights v. Union of India*, A.I.R. (1982) SC 1473(India).

¹³ *Sanjit Roy v. State of Rajasthan*, A.I.R. (1983) SC 328 (India).

cannot be permitted to take advantage of the helpless situation of affected persons and such persons cannot be denied protection under labour legislations. In *P Sivaswamy v. State of Andhra Pradesh*¹⁴, the court held that given the similar suffering and constraints, it would not be wrong to equate domestic workers with bonded labourers. The court relied on *Bandhua Mukti Morcha v. Union of India*¹⁵ wherein the Supreme Court, with respect to bonded labourers, held that: “The society envisaged under the constitutional set-up can no more take bonded labour as a part of it. Every citizen must be prepared to accept every other citizen as a person equal to him for enjoying the social benefits and the guarantees provided under the Constitution. It must, therefore, become a conscious obligation of every employer not to take advantage of the economic disability of a brother citizen and force him into the system of Bonded Labour.” The Court came down heavily on various state governments for not implementing the provisions of Bonded Labour System (Abolition) Act, 1976 to its fullest and directed state governments such to rehabilitate the bonded labourer in accordance with the Act. These pronouncements further espouse the need for a comprehensive legislation to protect the rights of domestic workers in India.

IX. CONCLUSION

In conclusion, the right to decent work and dignity is a fundamental human right that must be protected for all workers, including domestic workers. Governments, civil society organizations, and employers all have a role to play in ensuring that domestic workers are afforded the same basic labor protections as other workers and are protected from abuse and exploitation. By working together, we can ensure that the rights of domestic workers are respected and upheld, and that they are able to work in conditions of freedom, equality, security, and human dignity. An investigation of the administrative system in India shows that homegrown specialists proceed to stay ignored and denied of social assurance and employer stability. They are rejected from the degree and ambit of a few significant work regulations.

An attempt has been made by the Central government to address the needs in the form of Domestic Workers Welfare and Social Security Act, 2010. However, the act suffers from certain lacunae and need following changes: A helpline should be created for domestic workers , Compulsory registration of placement agencies by the government, Provision for half yearly or annual leave to domestic workers, There should be social security scheme for this unorganized domestic workers sector, Domestic workers should also be entitled to medical facilities as these

¹⁴ *P Sivaswamy v. State of Andhra Pradesh*, A.I.R. (1988) SCC 1863(India).

¹⁵ *Bandhua Mukti Morcha v. Union of India* , A.I.R. (1997) SCC 549 (India).

are available to factory workers , Domestic workers should be registered as workers with Labour Department and be recognized as workers.
