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THE PLIGHT OF FEMALE DOMESTIC WORKERS IN INDIA

By: Riya Nagpal

ABSTRACT

A “surfeit of issues haunt the labour market, the majority of which work against women. They encounter various social and professional obstacles that serve as a disincentive to their entering the workforce. Domestic worker protection is among the most complicated issues to labour laws in the unorganised sector. Domestic workers are more susceptible than other workers in the industry due to the underlying subjection entailed in the profession, as well as the unique structure of the employment. The amount of skill necessary is frequently the target of elitist and misogynistic insults, as seen by bookmybai.com's motto, "Diamonds are worthless!" 'Give your wife a maid,' yet do not appear in the social and legislative consciousness of the country in order to obtain better workplace standards for them. The concept of liberties for them alters our perception of comfort. The less stated regarding considering them as "equals" with respect, the better. Through a feminist lens, this study seeks to examine the predicament of female domestic workers, which has been compounded by the Covid-19 pandemic. This paper seeks to provide suggestions for such a scheme, which is suited to the peculiar characteristics of domestic workers in India by analysing schemes/policies around the globe that aim at increasing social security for domestic workers. It acknowledges that disparate and fragmented initiatives are inadequate to safeguard female domestic workers.

INTRODUCTION

According to the latest government press statement from January 2019, the overall population of domestic staff is anticipated to be 3.9 million (based on NSSO 68th round 201112).¹ These figures are

¹ 'National Policy On Domestic Workers' (*Pib.gov.in*, 2019)
<<https://pib.gov.in/Pressreleaseshare.aspx?PRID=1558848>>

questionable. They almost certainly disguise the size of the workforce.² First and foremost, these are predicated on survey predictions rather than accurate enumeration. According to media accounts, the total is far higher - approximately 90 million.³ The ILO deemed the Indian instance particularly "striking" and "exceptional" due to the ambiguity of the figure, which ranged from 2.5 to 90 million. The number of minor domestic workers is projected to be 12.6 million, with women constituting 86% of the workforce.⁴ More moderate government forecasts predict that the population of domestic workers in India would increase from 7.79 million in 2017 to 10.88 million by 2022.⁵ The fact that many definitions of domestic work exist is a fundamental factor for such a broad variety of estimations.⁶

The need for domestic workers is only rising as the middle and upper classes advance. One of the most difficult issues for domestic workers is the absence of economic stability caused by the character of their profession.⁷ In the case of sickness, accident, or financial necessity for their families, they are at the whim of their employers, who provide them assistance solely as a courtesy.⁸ The problem is exacerbated for workers who are forced to endure working in harsh and hostile environments out of risk of sacrificing their sole stream of revenue.⁹ Given the abundance of people involved in domestic labour who are now deprived of such fundamental protection, developing sufficient strategies to bring them into the framework of social security is an ardent objective.¹⁰ Domestic employees, on the other hand, are difficult to regulate due to the distinctive and diversified nature of their employment. Several countries, even wealthy ones, are attempting, with minimal success, to enact welfare laws for domestic employees. Such attempts have mostly been dispersed throughout India.¹¹ There is a need for a particular legislation that addresses the fundamental challenges that domestic workers face, as well as remove the impediments involved with implementing labour legislation in this sector.

LIMITATIONS OF THE PAPER

The paper aims at providing a holistic understanding of the issues faced by female domestic workers,

² Nitin Sinha, 'Between Welfare And Criminalisation: Were Domestic Servants Always Informal?' (*The Wire*, 2021) <<https://thewire.in/labour/domestic-servants-informal-workforce>>

³ Rohini Mitra and Aarohi Damle, 'Female Migrant Workers And Domestic Employees Need A Security Net' (*The Wire*, 2019) <<https://thewire.in/labour/women-labour-domestic-work>>

⁴ Sinha (n 2).

⁵ *Ibid.*

⁶ *Ibid.*

⁷ Utkarsh Agrawal and Shailja Agarwal, 'SOCIAL SECURITY FOR DOMESTIC WORKERS IN INDIA' (*Docs.manupatra.in*, 2018) <<http://docs.manupatra.in/newsline/articles/Upload/33C4D30A-4721-4464-9DF2-5DFA4A769B80.pdf>>

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*

however, it does not take into account an in-depth analysis of the intersectionality of caste, class and sexual orientation.

RESEARCH METHODOLOGY

The focus of this paper is on comprehending the legislative loopholes that exist in India for the protection and safety of domestic workers. This has been accomplished through the use of both primary and secondary sources. Reports from the government and the ILO are primary sources. Secondary sources include a variety of research papers and publications. Using the resources, the article relates to many legislations that are insufficient in providing domestic workers with the appropriate rights. Following that, it offers a feminist critique of the difficulties confronting female domestic workers. Finally, the paper attempts to provide some recommendations by conducting a global comparison of various social security programmes for legislative consideration in order to work for the improvement of workers.

LEGAL PROTECTIONS PROVIDED IN THE PREVIOUS ACTS

Domestic workers possess legal protection as a result of their inclusion in the 'Unorganised Workers' Social Security Act, 2008' ("UWSS Act"),¹² and are officially recognised as wage workers and covered by labour law. Although the UWSS Act includes domestic workers as part of the unorganised sector, it does not actually define them, rendering practical implementation challenging. Every state is required to establish a National Social Security Board ("NSSB") and a State Social Security Board ("SSSB") under this Act which has tripartite representation comprising of unorganised workers, employers, and the government, and it makes recommendations on social security plans for unorganised workers.¹³ The UWSS Act also stipulates a registration process and worker contributions.¹⁴ In contrast to the 2004 Bill,¹⁵ registration under the UWSS Act is entirely optional. Whilst establishing boards involving unorganised sector workers is a commendable move in accordance with international practice, the NSSB and SSSB are mostly restricted to advising and monitoring responsibilities in scheme

¹² Unorganized Workers Social Security Act, 2008.

¹³ Agarwal (n 7)

¹⁴ *Ibid.*

¹⁵ Housemaids and Domestic Workers (Conditions of Service and Welfare Bill), 2004

creation and implementation.¹⁶ Despite the fact that the Act requires registration, the whole procedure is assigned to the district administration. These boards, which are sometimes referred to as a mirage, do not appear to have any substantial authority to effect positive development.¹⁷

Despite the fact that the UWSS Act had been in effect for more than a decade, benefits promised to domestic workers have yet to be realised.¹⁸ India's Ministry of Labour and Employment (MoLE) organised a Task Force on Domestic Workers in 2009, which provided a draught National Policy that defined the domestic worker, the employer, and the well-defined terms of employment, well before the ILO's Domestic Workers Convention (C189) was adopted.¹⁹ It advocates for wage and social security protection for domestic workers, beginning with the Rashtriya Swasthya BimaYojana (RSBY) national health insurance plan, which has included domestic workers since 2012.²⁰ This plan covers hospital charges up to INR 30,000 for households in India with a maximum of five members who live below the poverty line and are registered in the scheme.²¹ Some fair criticism has been levelled towards management technology, as well as a lack of coverage in remote regions and a bad quality at affiliated hospitals.²² Furthermore, the initiative has experienced multiple failures as a result of fraud and, more significantly, a lack of distribution of Government funding.²³

Various elements of pre-existing legislation, like the Minimum Wages Act, 1948, ("MWA")²⁴ were expanded to cover domestic workers in order to tackle certain problems, such as wage regulation. Approximately eleven states included domestic labour in the Schedule to the MWA

¹⁶ Agarwal (n 7)

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ Jenny Svensson, 'Young Female Domestic Workers Perceptions Of Health And Safety' (*Lshtm.ac.uk*, 2018) <<https://www.lshtm.ac.uk/files/swift-india-brief-no.4-young-female-domestic-workers-perceptions-of-health-and-safety-dec18.pdf>>

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*

²⁴ Minimum Wage Act, 1948.

as of 2013.²⁵ Also in the majority of states that already have established minimum wages for domestic workers, the enforcement rate is dismal, thereby negating any practical distinction between jurisdictions with and without minimum wages.²⁶

To combat sexual misconduct in private households, the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 ("SHWWA") established a district-level grievance redressal system: the Local Complaints Committee, that has the authority to grant financial compensation.²⁷ The SHWWA is riddled with flaws and insufficient protections, and even the rules that are in place are mostly not known or implemented.²⁸

ISSUES PERSISTING WITH THE NEW LABOUR CODES

The majority of labour laws have been created as a result of tripartite consultation or committee recommendations that included members from both management and labour. Paradoxically, neither workers' nor state governments' representatives were consulted when the new Codes were drafted and enacted.²⁹ The Code on Social Security, 2020,³⁰ neither highlights social security as a right nor does it make reference to its provision as stated in the Constitution.³¹ Furthermore, it does not provide a firm deadline for implementation, leaving the vast majority of workers exposed in the absence of concrete social guarantees.³² Section 2(82) maintains a wage ceiling in place to characterise a paid worker. However, these ceilings may be defined arbitrarily, and the Code preserves this section despite the

²⁵ Labour Bureau Chandigarh, Ministry of Labour and Employment, Government of India, Report on the Working of the Minimum Wages Act, 1948 for the Year 2013, available at <http://labourbu->

²⁶ *Agarwal* (n 7)

²⁷ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Section 13(3)(ii).

²⁸ Namrata Singh, Compliance to Sexual Harassment Law Poor, THE ECONOMIC TIMES (Sep. 18, 2016), <http://economictimes.indiatimes.com/news/politics-and-nation/compliance-to-sexual-harassment-law-poor/articleshow/49008909.cms>.

²⁹ Working People's Charter, 'Why The New Labour Codes Leave India's Workers Even More Precariously Poised Than Before' (*Scroll.in*, 2020) <<https://scroll.in/article/973877/why-the-new-labour-codes-leave-workers-even-more-precariously-poised-than-before>>

³⁰ Code on Social Security, 2020.

³¹ Working People's Charter (n 29)

³² *Ibid.*

Standing Committee's proposal to eliminate it.³³

Domestic workers and various unions have revived their demonstrations over India's exclusionary labour laws, which exclude the country's five million domestic workers. Domestic workers are not defined under the new Code on Social Security or Industrial Relations, nor are they considered "workmen," nor is their workplace an "establishment."³⁴ Thereby, excluding them from the ambit of statutory industrial relations protection. Although India is still a signatory to the ILO C189 labour convention, it has not ratified the rules for decent work for domestic workers.³⁵ Furthermore, the newly proposed labour codes exclude this segment of the labour force.³⁶ The household is not listed as a workplace under the labour regulations.³⁷ The government does not regard private households as workplaces for domestic workers where they should have rights. As a result, the current codes forbid domestic workers from legally seeking decent working conditions.³⁸

As 'Domestic Worker' is not defined in any of the legislation, It is pertinent that it is defined in order to broaden the definition's reach and encompass the different tasks that comprise domestic employment within its area.³⁹ It is proposed that a wide definition be used that does not seek to constrain domestic workers substantially.⁴⁰ It is also recommended that domestic employees be divided into two subgroups: part-time domestic workers and live-in domestic workers.⁴¹ Part-time domestic employees work in one or more houses for a limited time. Live-in domestic workers are hired in a single home, spending most of their time there, with little social interaction outside of the members of the household, and live in the household.⁴²

Furthermore, the Codes are ineffective in reducing pay disparities. There are 11 states in India that have minimum salaries for domestic workers, however, the computation of these rates is significantly beneath what these people are now getting.⁴³ Additionally, domestic workers are also deemed unskilled despite the fact that a vast majority of them cook or care for children, the

³³ *Ibid.*

³⁴ *Sinha* (n 2).

³⁵ Working People's Charter (n 29)

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Sinha* (n 2).

³⁹ *Agarwal* (n 7)

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ 'Where Are The Laws To Protect The Rights Of Domestic Workers In India?' (*Economic and Political Weekly*, 2018) <<https://www.epw.in/engage/article/domestic-workers-rights>>

sick, and the elderly, all of which are tasks that need specialised skills.⁴⁴ The revised Codes do not address previously known loopholes concerning labour hours, nor do they impose a minimum wage for the same.⁴⁵ For instance, Even though eight hours is the allowed daily work period, any such restriction is applicable only for every employer, which means that if an individual works in more than one household, they can be exploited to work considerably past the authorised time.⁴⁶ All states legislations simply overlooked this sectoral peculiarity by mechanically expanding the regulation as in the instance of other informal sector workers.⁴⁷ Moreover, female domestic workers cannot avail the benefits of the Maternity Benefits Act, leaving them to fend for themselves at the time of acute distress.⁴⁸ The only option to discourage a person from working beyond the usual hours is to provide them appropriate wages, which might be done by higher hourly wage rates.⁴⁹ Nevertheless, this hardly appears to be of significance to the states, that have set wages at very low rates.⁵⁰ Also, there is no discussion as to how social security obligations would operate in unusual situations where there is no apparent employer-employee connection, such as home-based employment, piece-rate labour, etc.⁵¹

Domestic workers are expressly excluded from protection under the current Labour Code on The Occupational Safety, Health and Working Conditions, 2020.⁵² There have been no justifications given for this restriction, even though domestic workers suffer various accidents and even terrible fatalities happen on a daily basis in this country.⁵³ They are also subjected to sexual harassment in these households, which is often not reported.⁵⁴ Furthermore, because there is no monitoring of agencies, there is no provision in any legislation to safeguard these workers from the exploitation of agents who make vast sums of revenue through labour

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ Nidhi V, 'Living On The Margins Of Development: Domestic Women Workers' (*Mpra.ub.uni-muenchen.de*, 2017) <https://mpira.ub.uni-muenchen.de/82258/1/MPRA_paper_82258.pdf>

⁴⁹ (n 43)

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² Code on The Occupational Safety, Health and Working Conditions, 2020.

⁵³ Working People's Charter (n 29)

⁵⁴ *Ibid.*

supply.⁵⁵ An overwhelming proportion of domestic workers are women, with many of them being single moms or the sole breadwinners in their households.⁵⁶ With the lack of recognition as workers and vague definitions of the workplace and employer-employee relationships, these workers, even if registered for the database, will not have access to social security, minimum wage or any protection.

FEMINIST INSIGHTS

The societal view of housekeeping as a woman's job that requires little expertise has been crucial to determining the worth of paid domestic labour. Furthermore, ambiguities and variances between states in terms of periods (hourly, daily, and monthly), as well as a popular predilection for hourly and everyday wages, are not indicative of a worker-protection policy.⁵⁷ Domestic labour has not just become gendered as a result of these efforts; caste-based structures within it have also been institutionalized.⁵⁸ Wherever a task-based distinction is used, average wages for cleaning duties, which are heavily represented by women from lower castes, are at the bottom end of the spectrum.⁵⁹

Domestic workers are hired in the "private realm" of the home, and their labour is viewed as submissive, therefore there is a reluctance to acknowledge and effectively regulate the domestic work relationship.⁶⁰ As a result, these workers are exposed to a substantially higher level of vulnerability.⁶¹ Domestic work, in the meantime, is deemed invisible and neatly portrayed as a "labour of love," an inherent quality of women, an innate yearning and goal springing from the lower reaches of the feminine nature.⁶² It is devalued or not recognised at all as it is "natural"

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ Sujata Gothoskar, 'The Plight Of Domestic Workers: Confluence Of Gender, Class And Caste Hierarchies' (*Dspace.stellamariscollege.edu.in*, 2013)
<<http://dspace.stellamariscollege.edu.in:8080/xmlui/bitstream/handle/123456789/2958/domestic.pdf?sequence=1&isAllowed=y>>

⁵⁸ *Ibid.*

⁵⁹ Neetha N, 'Minimum Wages For Domestic Work' (*Economic and Political Weekly*, 2013)
<<https://www.epw.in/journal/2013/43/review-womens-studies-review-issues/minimum-wages-domestic-work.html>>

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

⁶² Gothoskar (n 57)

to do this task, no social expenditure is spent on educating domestic workers, and primarily because women do it.⁶³

The macro-structural tradition is another paradigm that examines women's labour, especially care work.⁶⁴ "According to Patricia Fernandez-Kelly, industrial management exploits local discursive forms of gender and labour, allowing for greater exploitation of female employees."⁶⁵ In the pursuit of growing capital accumulation, the logic of capital works in tandem with patriarchal ideals of submissive and naturally adept female employees to assure a continual stream of inexpensive female labour.⁶⁶ Many have made similar arguments, pointing out that both local and global markets prey on pre-existing discourses of "nimble fingers" or "disposable women" to justify a low-paid, flexible, and, most importantly, feminised labour force.⁶⁷ The service sector's equivalent to the discourse of "nimble fingers" may be "caring hearts," a feminine stereotype that categorises particular labour as female and justifies the low salaries paid to personal service employment."⁶⁸

The boom in globalization, mobility, and developments in the structure of the household have produced a significant market for this group of workers.⁶⁹ But herein lies the irony of this shift: for these workers, the employer's house is also the location of their job.⁷⁰ They leave their own homes to work in the homes of others. Traditionally, the household has not been regarded as a place of work and labour in the same way that the industry and the office have. Because of the gendered notion of labour, some jobs appear to be 'unproductive.'⁷¹ Domestic workers are still considered unproductive labour, regardless of how well they cook or clean. As a result, they are both invisible and informal.⁷²

Caste and ethnicity intersect with class and gender in the Indian setting, significantly complicating the link with domestic labour.⁷³ Women from poorer families and lower castes have never been restricted to their houses because their families cannot afford it.⁷⁴ Their sexuality, movement, and labour, on the other hand, are constrained by the restricted

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ *Sinha* (n 2).

⁷² *Ibid.*

⁷³ *Gothoskar* (n 57)

⁷⁴ *Ibid.*

opportunities for employment outside the home.⁷⁵ These possibilities are restricted by the capital invested in them, which constrain them to vocations and activities that are meant to be "women's professions," the talent for which is earned with her own body at the price of her own time and unpaid labour, rather than by expending societal or familial resources.⁷⁶ Women "procure" these talents regardless of whether they want to or not by just having women's bodies, as well as because of the manner in which femininity is formed in a patriarchal culture.⁷⁷ This is the actuality of domestic work, regardless of whether performed outside or within the house. Furthermore, domestic labour might be resumed subsequently in a woman's lifetime when other options become considerably more limited.⁷⁸ In reality, regulation over women's movement and sexuality was enforced through two controls: first, restriction over women's ability to work outside the home, and second, work within the home being constituted as her private domain.⁷⁹

AN INTERNATIONAL COMPARISON: WHAT CAN INDIA LEARN?

According to an ILO report,⁸⁰ 43 % now provide some sort of social security to domestic workers. Notwithstanding this, 90 per cent of domestic workers worldwide remain beyond the scope of legal protection. Many advanced and high-income economies have failed to create a workable framework that covers the majority, though not all, domestic workers.⁸¹ This evidence leads to two crucial inferences: firstly, that simply having laws in force is insufficient to assure domestic worker protection. Second, that no government has managed to develop and execute comprehensive laws that provide total protection to domestic workers.

Countries such as France and Spain, provide significantly larger protection to domestic workers under social security by adopting the method of social insurance coverage.⁸² The social

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ International Labour Office, Social Protection Department, Geneva, Social protections for domestic workers: key policy trends and statistics, 10 (2016).

⁸¹ Agarwal (n 7)

⁸² *Ibid.*

insurance plan appears to be the most effective of the three primary strategies commonly utilised (i.e., Employers Mandate, Social Assistance and Social Insurance) in the situation of domestic workers since it allocates the expense of social insurance.⁸³ The enormous population of domestic workers in India would benefit the system since it will provide a massive pool of cash to draw from.⁸⁴ The responsibility of the government would be to implement additional rules to guarantee that the employer registers the domestic worker and makes the payments on time.⁸⁵ Countries with strong protections have utilised several ways to accomplish this, and a blend of these techniques may be applied in India.⁸⁶ In the context of labour laws, a typical technique of verifying compliance is to provide Labour Inspectorates with the authority to check the premises.⁸⁷ Allowing Labour Inspectors similar authority in the issue of domestic work, on the other hand, could constitute an encroachment into the family's privacy.⁸⁸

France has addressed these privacy problems by enabling the homeowner to choose whether or not to permit the Labour Inspector to access their home. South Africa also provides for an alternative process of disseminating requests for providing access to houses in the householders' letterboxes.⁸⁹ Jordan has connected the residential inspection system to dispute settlement. In the instance of a grievance or knowledge about noncompliance, the Ministry of Labour summons both the employer and the domestic worker to reach an amicable resolution.⁹⁰ Only in circumstances where an investigation of workplace practices is necessary is an investigation of domestic premises warranted.⁹¹ In South Africa, the Commission for Conciliation, Mediation, and Arbitration has been established, with the Commissioner first attempting to settle the disagreement via conciliation, if that fails, the participants may opt to arbitrate the issue. Hong Kong provides free conciliation services for settling employment-related problems.⁹² Several European nations have effectively established collective bargaining

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ *Ibid.*

⁹² *Ibid.*

to regulate the employer-employee relationship, but Asian countries are still trying to adequately expand this privilege to domestic workers.⁹³

Pursuant to making attempts to raise legal knowledge, Paraguay witnessed some progress in the manner of rising registration of domestic workers.⁹⁴ Domestic workers unions, with the aid of the government and the ILO, launched a comprehensive campaign that covered both urban and rural communities, employers, and employees.⁹⁵ Messages were tailored to individual audiences by altering the wording and selecting the appropriate vocabulary.⁹⁶ Various nations organise awareness days to speak out to the public. The need of conveying legal information, particularly in the early years of implementing a social security plan, cannot be overstated.⁹⁷

In France, the employer is permitted to exclude 50% of the entire expense of wages and social security contributions from his tax liability, up to a certain limit.⁹⁸ Employers in Ecuador who submit regular payments to social security programmes are free from owing some administrative expenses for the next three months.⁹⁹ Financial incentives operate in Costa Rica in the manner of government subsidies, since the government covers a portion of the social security contributions for domestic staff.¹⁰⁰

A further way used to assure adherence is to impose penalties on non-compliant employers. Argentina and the Philippines levy penalty on delayed payments.¹⁰¹ In addition to monetary penalties, Ecuador imposes incarceration for three to seven days if the repayment is still late after receiving notification of overdue payments.¹⁰² In contrast to optional coverage, the ILO study strongly supports the mandatory inclusion of domestic workers under social security. It discovered that nations that have chosen a mandatory plan had the greatest percentages of successful inclusion.¹⁰³ In India, when the wealthy were deliberately urged to forego LPG subsidies, just under 4% of the population opted in. A voluntary plan for domestic workers in

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

India would be similarly futile, as employers in most cases seek to obtain the most amount of work from domestic employees at the lowest possible cost.¹⁰⁴

In order for India to develop a programme that can be efficiently executed without placing onerous constraints on the employer, the finest techniques from other countries must be adopted and modified to the Indian scenario.

CONCLUSION

Domestic workers are not even regarded as 'workers' in the societal structure as a by-product of this; their participation is not considered as "productive labour" that contributes to the nation's socio-economic progress. This concept has a particularly negative impact on female workers since their employment is just perceived as a continuation of their "innate duty or obligation" to the house and housekeeping. The ILO has established regulations to preserve and safeguard the rights of domestic workers. At the same time, the Indian legislature has established minimum rules and regulations to safeguard workers; nevertheless, they do not realistically aid these workers in protecting their rights. Furthermore, Indian laws are not in agreement with ILO principles, necessitating the states ratification of the ILO convention rules and the passage of rigorous legislation in accordance. It is consequently necessary to enact central legislation on working conditions, minimum salaries, and housing for domestic workers, with model standards that the state governments must follow in line with local situations. Furthermore, to carry out the registration procedures of the Social Security Act in a fair and unrestrictive manner so that its benefits can be realized. Implementing universal social security measures, such as food availability, universal healthcare, and free schooling, would be very advantageous to domestic workers among various socio-economic locations. Domestic workers' difficulties cannot be addressed in a vacuum. They are manifestations of greater concerns that must be handled as such. The specific legal arrangements for domestic workers mentioned in this research must function in tandem with other socioeconomic security initiatives.

¹⁰⁴ *Ibid.*