

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA**

**UNSTARRED QUESTION NO. 4271
TO BE ANSWERED ON 07.01.2019
RATIFICATION OF ILO CONVENTION 189**

**4271. KUMARI SHOBHA KARANDLAJE:
SHRI PRATHAP SIMHA:**

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether India is yet to ratify the ILO convention 189 concerning decent work for domestic workers and if so, the details thereof;**
- (b) whether there is any mechanism for regulating working conditions for domestic workers in the country, if so, the details thereof;**
- (c) whether the Government proposes to provide old age pension, health insurance and maternity benefits to domestic workers and also establish a domestic workers social security fund and if so, the details thereof;**
- (d) the names of the States who have included domestic workers in the schedule of the minimum wages act ;**
- (e) whether the Government proposes to set up a central advisory committee consisting of persons representing domestic workers' and their unions/associations and if so, the details thereof; and**
- (f) the steps taken to regulate the recruitment and placement agencies to avoid any harassment?**

ANSWER

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI SANTOSH KUMAR GANGWAR)**

(a): ILO has a specific convention concerning decent work for domestic workers, i.e. C189 Domestic Workers Convention. 2011 (No. 189). The convention was adopted after a dual discussion at the 10th International Labour Conference session on 16 June 2011 and entered into force on 05 sep 2013. The Convention was adopted with the wide support of 185 countries. India also supported the adoption of the convention. The convention C189 supported by a Recommendation 201- Domestic Workers Recommendation, 2011 (No. 201), which was also adopted on the same day. India has not ratified the Convention yet. In India, an ILO Convention is ratified only when the national laws and practices are brought fully into conformity with the provisions of the Convention in question. India has not been able to ratify C-189 as at present legislative framework does not cover all provisions of C 189.

(b): Discussions are under way regarding a Policy for Domestic Workers. The salient features of the draft policy are as under:-

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- i. Inclusion of Domestic Workers in the existing legislations**
- ii. Domestic workers will have the right to register as unorganized workers. Such registration will facilitate their access to rights & benefits accruing to them as workers.**
- iii. Right to form their own associations/trade unions**
- iv. Right to have minimum wages, access to social security, protection from abuse, harassment, violence**
- v. Right to enhance their professional skills**
- vi. Protection of Domestic Workers from abuse and exploitation**
- vii. Domestic Workers to have access to courts, tribunals, etc.**
- viii. Establishment of a mechanism for regulation of concerned placement agencies**
- ix. Establishment of a grievance redressal mechanism for domestic workers.**

(c): The central Government has enacted the Unorganized Workers' Social Security Act, 2008 for providing social security to all unorganized workers including domestic workers. The Act provides formulation of social security schemes viz life and disability cover, health and maternity benefits & old age protection by the central Government. The state Government are mandated under the Unorganized Workers' Social Security Act, 2008 to formulate suitable welfare schemes for unorganized sector workers including domestic workers relating to provident fund, employment injury benefits housing, education schemes for children, skill up gradation of workers, financial assistance & old age homes.

The Central Government in 2017 converged the social security scheme of Aam Aadmi Bima Yojana (AABY) with Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY) to provide life and disability coverage to the unorganised workers, depending upon their eligibility. The converged PMJJBY/PMSBY scheme is for the beneficiaries in the age group 18-50 years and provides for coverage of Rs. 2 lakh, in case of natural death and Rs. 2 lakh, in case of accidental death. The converged schemes are being implemented through Life Insurance Corporation of India. A premium of Rs. 342 (330+12) per annum would be required for the converged schemes. The premium would be shared between the State Government and the Central Government in the ratio of 50:50. This Ministry has urged all the State/UTs Governments to give their financial concurrence to cover 50 percent of the premium for all eligible unorganised workers. Around 2.83 crore beneficiaries have been covered under this scheme. The Central Government has also launched the Ayushman Bharat Yojana which will cover 10 crore poor and vulnerable families providing coverage up to Rs. 5 Lakhs per family per year for secondary and tertiary care hospitalization. This scheme will also cater to eligible domestic workers.

(d): The State Governments of Andhra Pradesh, Bihar, Jharkhand, Karnataka, Kerala, Odisha, Rajasthan, Haryana, Punjab, Tamilnadu and Tripura have included domestic workers in the schedule of Minimum Wages Act.

(e) & (f): The Ministry of Labour is working on a draft policy for regulation of placement agencies for domestic workers in consultation with the ILO and other Stakeholder. Further, action is being taken to extend the purview of the draft policy to include in it other placement agencies, which deal with placement of other kind of workers also. An advisory has also been issued to the State Government/UTs requesting them to take necessary steps for making legislation/ /policies for protection of domestic workers from exploitation by unscrupulous agents / unregistered placement agencies.
