Scheme-based workers (SBWs)

***Prelims**: Rights Issues| Economic and Social Development*

Why in News?

Recently, in the 45th Indian Labour Conference (ILC), a unanimous recommendation was sent to the central government to treat the SBWs as "workers" and pay them minimum wages, pension, health insurance and provident fund, among others.

> ***Indian Labour Conference (ILC),** a tripartite consultative body established in 1942 that advises the Indian government on labour-related issues. It is composed of representatives from central trade unions, central organizations of employers, state governments and union territories, and central ministries/departments.*

- **SBWs** – It refers to individuals ***employed under various government schemes*** and programs.
  - These schemes are those which carry out social and economic functions by taking care of children and lactating mothers and nutrition aspects.
- **Role** – They are also a *bridge between the community* and the public health system, improving school enrolment and the nutritional health system.
- **Employment** – There are around ***60 million workers*** work in government schemes.
  - Anganwadi workers or AWWs
  - Anganwadi helpers or AWHs
  - Accredited Social Health Activists or ASHAs
  - Mid-Day-Meals workers or MDMWs

> ***Mid-Day-Meals workers** are employed under 'The Integrated Child Development Services (ICDS) Scheme' since 1975, the National Rural Health Mission (NHRM) and the mid-day meals day scheme.*

- **Issues** – They have been *denied basic labour market* rights such as workers' status, minimum wages and social security.
- The *three basic issues* they face are
  - An identity as "workers" just like any government employee
  - Minimum wages
  - Social security
- State governments have not always been kind to striking workers.
  - Maharashtra Essential Services Maintenance Act, 2017 *curbed the right of Anganwadis* in the State to go on strike.

- The Supreme Court in 2006, held that as *Anganwadis do not hold a post under a statute*, it did not consider them as workers.

Judicial Recognition of Scheme Based Workers
• The Supreme Court in 2022 granted that Anganwadis are *eligible for gratuity* under the Payment of Gratuity Act, 1972. • In 2024, the Gujarat High Court directed the *central and State governments to jointly frame a policy* under which the AWWs and AWHs could be regularised as Class III and Class IV grade State employees - Until then, they would be paid minimum wages (Class III and Class IV, respectively).

Reference

The Hindu| Scheme Based Workers

