

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](#)

