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INVISIBLE WORKERS, INVISIBLE RIGHTS: THE CASE FOR FORMAL LEGAL RECOGNITION OF DOMESTIC WORKERS IN INDIA

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ABSTRACT

Domestic workers constitute one of the largest and most economically precarious categories of labour in India, estimated to number between four and fifty million. Despite the essential nature of their services—encompassing cooking, childcare, elder care, sanitation, and household management—they remain systematically excluded from the principal protections of Indian central labour law. This article critically analyses the constitutional, statutory, and international dimensions of that exclusion. It demonstrates that the non-coverage of domestic workers under key legislation such as the Minimum Wages Act 1948, the Employees' State Insurance Act 1948, and the four Labour Codes enacted between 2019 and 2020 cannot be reconciled with the constitutional guarantees of equality, dignity, and the prohibition of forced labour enshrined in Articles 14, 21, and 23 of the Constitution of India. Drawing on comparative analysis of legislative models from the Philippines, South Africa, Brazil, Uruguay, and the United Kingdom, the article proposes a model Domestic Workers (Protection, Welfare and Social Security) Act for India. It further argues that India's failure to ratify ILO Convention No 189 places it in an internationally anomalous position. The article concludes that formal legal recognition of domestic workers is not merely a matter of policy preference but a constitutional and human rights imperative.

Keywords: *domestic workers; labour law; India; ILO Convention 189; informal employment; gender; caste; social security; constitutional rights; legislative reform.*

I. INTRODUCTION

Domestic work is among the oldest and most universal forms of human labour. It encompasses a broad spectrum of tasks performed inside private households—including cooking, cleaning, childcare, elder care, and gardening—carried out by persons who stand outside the family unit. Notwithstanding its economic and social indispensability, domestic work in India remains among the most legally invisible categories of employment. The workers who sustain millions of households daily operate without enforceable contracts, without access to social security, and without meaningful recourse when wronged by their employers.[188]

Statistical data on domestic workers in India is itself a reflection of their invisibility. Estimates range from approximately 4.75 million, based on National Sample Survey data, to upwards of fifty million when part-time, informal, and

[188]ILO, 'Domestic Workers Across the World: Global and Regional Statistics and the Extent of Legal Protection' (ILO 2013) 1.

undocumented arrangements are included.[189] Eighty to ninety per cent of domestic workers are women, the majority drawn from Scheduled Caste, Scheduled Tribe, and Other Backward Class communities who migrate from rural hinterlands to urban centres. This intersection of gender, caste, and migration renders domestic workers multiply disadvantaged within existing legal and social structures.[190]

The central legislative gap is stark: the principal labour statutes—including the Minimum Wages Act 1948, the Employees' State Insurance Act 1948, the Payment of Gratuity Act 1972, and the four Labour Codes of 2019–2020—either explicitly exclude domestic workers or fail in practice to extend coverage to them. No dedicated national statute governs their employment conditions. While a handful of states—most notably Kerala, Maharashtra, Karnataka, and Rajasthan—have enacted welfare legislation, these measures are partial, inadequately funded, and inconsistently enforced.[191]

At the international level, the International Labour Organization adopted Convention No 189 (C189) in 2011—the Domestic Workers Convention—establishing binding standards for the protection of domestic workers' rights, including equal treatment with other workers, decent working conditions, and access to social protection. India has not ratified C189, placing it outside the principal international accountability framework governing domestic worker protection.[192][193]

This article argues that the sustained exclusion of domestic workers from formal labour law is constitutionally indefensible, practically harmful, and administratively remediable. Part II situates the problem within its constitutional and socio-legal context. Part III surveys the existing statutory and international frameworks. Part IV conducts comparative analysis of foreign models of domestic worker regulation. Part V develops a legislative reform proposal. Part VI presents conclusions and specific recommendations.

II. CONSTITUTIONAL FRAMEWORK AND THE SOCIO-LEGAL DIMENSIONS OF EXCLUSION

A. Constitutional Mandate for Protection

The Constitution of India provides a framework of rights and directive principles that, if interpreted faithfully, demands comprehensive legal protection for domestic workers. Article 14 guarantees equality before the law and equal protection of laws. The systematic exclusion of domestic workers from labour statutes that protect comparable workers in non-domestic settings is constitutionally suspect: it creates a classification based, in substance, on the private and feminised character of household work rather than on any legitimate legislative objective.[194]

Article 21, as interpreted by the Supreme Court across decades of progressive jurisprudence, protects not merely physical existence but the right to a life lived in dignity. The Court in *Olga Tellis v Bombay Municipal Corporation* affirmed the right to livelihood as integral to Article 21, while *Consumer Education and Research Centre v Union of India* extended the right to health and medical care to workers in hazardous conditions. These constitutional standards cannot plausibly be confined to industrial workers while domestic workers—often exposed to physical risks, long working hours, and social isolation—are left unprotected.[195]

Article 23 prohibits forced labour and related forms of exploitation. The Supreme Court in *People's Union for Democratic Rights v Union of India* authoritatively held that work remunerated below the minimum wage constitutes forced

[189]National Sample Survey Organisation, 'Employment and Unemployment Survey 2011-12' (NSSO 2013) NSS Report No 554; estimates by civil society organisations place the figure as high as 50 million.
[190]Meena Gopal, 'Unrecognised Labour: Women Domestic Workers' (2016) 51(38) Economic and Political Weekly 73, 74.
[191]Code on Wages 2019 (India); Code on Social Security 2020 (India); Occupational Safety, Health and Working Conditions Code 2020 (India); Industrial Relations Code 2020 (India).
[192]ILO Convention No 189 Concerning Decent Work for Domestic Workers 2011 (C189), art 1.
[193]ILO NORMLEX (database of international labour standards) <https://www.ilo.org/dyn/normlex> accessed 20 April 2026; India has not ratified C189 as of April 2026.
[194]Constitution of India 1950, arts 14, 21, 23, 39(a), 39(d), 42, 43.
[195]Olga Tellis v Bombay Municipal Corporation (1985) 3 SCC 545; Consumer Education & Research Centre v Union of India (1995) 3 SCC 42.

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labour within the ambit of Article 23, thereby giving that provision direct relevance to domestic workers who are routinely paid below even the minimal statutory thresholds applicable in states that have notified wages for domestic service.[196]

The Directive Principles in Part IV reinforce the constitutional imperative. Article 39(a) obliges the state to secure an adequate means of livelihood for all citizens; Article 39(d) mandates equal pay for equal work; Article 42 directs the state to ensure just and humane conditions of work and maternity relief; and Article 43 requires the state to secure a living wage. Read together, these provisions constitute an affirmative constitutional mandate that the state cannot indefinitely defer.

B. Structural Dimensions: Gender, Caste, and the Public–Private Divide

The legal exclusion of domestic workers is not an oversight but a structural outcome. Labour law was historically constructed to regulate the public sphere of industrial production; the private household was deliberately placed outside its reach. Feminist legal scholars have persuasively argued that this public–private boundary is gendered: it privileges the paid labour of the male industrial worker while devaluing the care and domestic labour predominantly performed by women.[197]

Caste adds a further layer of structural inequality. The domestic service workforce in India is disproportionately composed of Scheduled Caste, Scheduled Tribe, and Other Backward Class women—the same communities historically assigned to perform menial and sanitation work under caste prescription. The state's failure to extend labour law protection to domestic workers therefore perpetuates constitutionally prohibited caste discrimination in an informal register, insulated from direct challenge by the absence of a formal employment relationship.[198]

Migration further compounds vulnerability. A substantial proportion of domestic workers are inter-state migrants, lacking documentation, unfamiliar with local languages and legal systems, and isolated from community support structures. The private placement agency sector—the principal channel through which domestic workers find employment in metropolitan areas—remains largely unregulated, creating conditions in which debt bondage and trafficking can, and do, occur.[199]

III. THE EXISTING STATUTORY FRAMEWORK AND ITS INADEQUACIES

A. Central Labour Legislation

The Minimum Wages Act 1948, which empowers the appropriate government to fix minimum wages for scheduled employments, applies to domestic work only where state governments have specifically scheduled it—a step taken by fewer than half of Indian states, and even then inconsistently enforced. The Employees' State Insurance Act 1948 and the Employees' Provident Funds and Miscellaneous Provisions Act 1952 contain definitional frameworks—referencing 'establishments' and 'factories'—that effectively exclude the private household. The Maternity Benefit Act 1961 and the Payment of Gratuity Act 1972 similarly do not extend to domestic employment.

The Unorganised Workers' Social Security Act 2008 formally recognised domestic workers as a category of 'unorganised workers' entitled to social security schemes notified by the central government. In practice, scheme coverage has been fragmentary and welfare funds inadequately capitalised. The Act does not confer employment-relationship rights; it provides only a framework for scheme

[196]People's Union for Democratic Rights v Union of India (1982) 3 SCC 235; Bandhua Mukti Morcha v Union of India (1984) 3 SCC 161.
[197]Guy Mundlak and Issi Shamir, 'Between Intimacy and Alienation: Legal Constructions of Labor and Welfare Relations' (2011) 33 Comparative Labor Law & Policy Journal 241, 248.
[198]Rhacel Salazar Parrenas, Servants of Globalization: Women, Migration and Domestic Work (Stanford University Press 2001) 12; Evelyn Nakano Glenn, Forced to Care: Coercion and Caregiving in America (Harvard University Press 2010) 5.
[199]Human Rights Watch, 'Domestic Workers' Rights Globally' (HRW 2012) <https://www.hrw.org> accessed 14 April 2026.

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notification that governments have been slow to utilise meaningfully.[200]

B. The Four Labour Codes and the Missed Opportunity

Between 2019 and 2020, Parliament enacted four Labour Codes—the Code on Wages 2019, the Code on Social Security 2020, the Occupational Safety, Health and Working Conditions Code 2020, and the Industrial Relations Code 2020—consolidating twenty-nine central labour statutes. The Codes represented a significant legislative undertaking; they also represented a significant missed opportunity so far as domestic workers are concerned.

The Code on Wages 2019 defines 'worker' broadly but excludes persons employed in a 'domestic capacity'. The Code on Social Security 2020 contains enabling provisions for schemes for unorganised workers, including domestic workers, but does not mandate their coverage or specify their entitlements. The Occupational Safety Code explicitly excludes domestic workers from its safety and health protections. The Industrial Relations Code's definition of 'industry' excludes private domestic service. In sum, the four Codes preserve the pre-existing exclusion of domestic workers while dressing it in new legislative language.

C. State-Level Initiatives

Several states have enacted welfare legislation or administrative measures for domestic workers. Kerala enacted a dedicated Domestic Workers Act in 1980, amended in 2017, establishing a welfare board with powers to regulate conditions of service. Maharashtra established the Domestic Workers Welfare Board under state legislation in 2008. Karnataka and Rajasthan have enacted rules under the general powers of state labour departments. Delhi maintains a tripartite welfare board for domestic workers. These measures, while indicative of state-level recognition, are inconsistent, inadequately funded, and incapable of addressing the national dimensions of the problem. A central legislative framework is indispensable.[201]

IV. INTERNATIONAL AND COMPARATIVE PERSPECTIVES

A. ILO Convention No 189 and the International Framework

ILO Convention No 189, the Domestic Workers Convention 2011, is the foundational international instrument for domestic worker rights. It requires ratifying states to ensure that domestic workers enjoy the same rights as workers generally in respect of working hours, rest periods, annual leave, minimum wages, safe working conditions, social security, and freedom of association. Recommendation No 201, adopted alongside C189, provides additional guidance on implementation, including the regulation of placement agencies and the adoption of written employment contracts.[202]

India's non-ratification of C189 is both anomalous and problematic. As of April 2026, thirty-five states have ratified C189, including several major emerging economies. India's absence from this framework deprives domestic workers of an internationally supervised accountability mechanism and signals the absence of political commitment to reform at the highest level.

B. Comparative National Models

Comparative analysis reveals that the distinctive challenges of domestic worker regulation—dispersed private workplaces, personal employer-worker relationships, part-time and live-in arrangements—are not insurmountable. A range of jurisdictions have developed creative legislative responses from which India can draw lessons.[203]

[200]The Unorganised Workers' Social Security Act 2008 (India), s 2(m); Code on Social Security 2020 (India), s 109.

[201]Neetha N, 'Regulating Domestic Work' (2009) 44(43) Economic and Political Weekly 26, 27.

[202]ILO, 'Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of Convention No 189' (ILO 2021) 3.

[203]The Household Employees Act (Philippines), Republic Act No 10361 (2013) (Batas Kasambahay); South Africa Basic Conditions of Employment Act 75 of 1997, Schedule 2; Uruguay Law No 18065 of 2006.

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The Philippines enacted the Kasambahay Law (Republic Act No 10361) in 2013, providing domestic workers with a comprehensive rights regime covering minimum wages, written contracts, social security inclusion, rest periods, and access to education. The law prohibits placement agency fees from being charged to workers and mandates registration of domestic employment relationships. It is widely regarded as the most comprehensive domestic worker statute in Asia.

South Africa, through Sectoral Determination 7 under the Basic Conditions of Employment Act 1997, has brought domestic workers within the national minimum wage framework, mandated written contracts, and extended Unemployment Insurance Fund coverage to domestic employment. Brazil achieved a landmark reform in 2013 through Constitutional Amendment No 72, which extended seventeen constitutional labour rights—including holiday entitlement, overtime pay, and unemployment insurance—to domestic workers. Uruguay enacted a standalone Domestic Work Law (Law No 18065) in 2006, including provisions for working hours, rest, minimum wages, annual leave, and social security inclusion that have been credited with significantly improving conditions.

These models demonstrate that legislative extension of labour rights to domestic workers is practically achievable. Common design features across successful models include: mandatory registration of employment relationships; written contracts; equal access to the national minimum wage; inclusion in social security schemes through adapted contribution mechanisms; regulation of placement agencies; and dedicated enforcement bodies.

V. KEY RESEARCH FINDINGS

The analysis conducted across the foregoing sections yields five principal findings, each of which is briefly consolidated here before the reform proposal is developed.

First, the exclusion of domestic workers from central labour law is constitutionally indefensible. It conflicts with the guarantees of Articles 14, 21, and 23, and with the Directive Principles mandating just working conditions and a living wage. The Supreme Court's expansive interpretation of these provisions leaves no legitimate basis for the legislative exclusion of domestic employment from statutory protection.

Second, the exclusion is structurally produced by gender, caste, and class biases encoded in the architecture of Indian labour law. Addressing it requires not merely extending existing statutes but redesigning the regulatory framework with an explicit awareness of these structural factors.[204]

Third, the four Labour Codes enacted in 2019–2020, while representing a significant consolidation of Indian labour law, have preserved the substantive exclusion of domestic workers and have not produced the comprehensive reform needed. A dedicated domestic workers' statute remains necessary.

Fourth, comparative international experience—particularly from the Philippines, South Africa, Brazil, and Uruguay—demonstrates that comprehensive legislative protection of domestic workers is administratively feasible and that the practical challenges of regulation in dispersed private workplaces can be addressed through adapted enforcement mechanisms.

Fifth, India's continued non-ratification of ILO Convention No 189 is normatively inconsistent with its constitutional commitments and its international obligations under ILO membership. Ratification, accompanied by domestic legislative reform, would both improve conditions for domestic workers and enhance India's standing in international labour rights fora.[205]

[204]National Commission for Enterprises in the Unorganised Sector (NCEUS), 'Report on Conditions of Work and Promotion of Livelihoods in the Unorganised Sector' (Government of India 2007) 9.

[205]Virginia Mantouvalou, 'Are Labour Rights Human Rights?' (2012) 3(2) European Labour Law Journal 151, 155.

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VI. A MODEL LEGISLATIVE FRAMEWORK: THE DOMESTIC WORKERS (PROTECTION, WELFARE AND SOCIAL SECURITY) ACT

This article proposes a model Domestic Workers (Protection, Welfare and Social Security) Act grounded in five foundational principles: universality of coverage, non-discrimination with other workers, mandatory formalisation of employment relationships, effective institutional enforcement, and participatory governance with direct representation of domestic workers.[206]

A. Definitions and Coverage

The Act must define 'domestic worker' broadly to encompass any person employed for remuneration—whether in cash or kind, whether directly by a household or through a placement agency, and whether on a full-time, part-time, or live-in basis—to perform work in or for a household. The definition should expressly cover cooking, cleaning, childcare, elder care, gardening, driving, and security services. Critically, placement agencies engaged in the deployment of domestic workers should be treated as co-employers for the purposes of wage liability and social security contributions.

B. Core Employment Rights

The Act should mandate written employment contracts in a language understood by the worker, specifying duties, working hours, wages, rest periods, accommodation conditions for live-in workers, and termination conditions. Minimum wages should be notified by the appropriate government for each category of domestic employment, with annual revision. Working hours should be capped at eight hours per day and forty-eight hours per week for live-in workers; overtime should be compensated at one and a half times the ordinary wage rate. Live-in workers should be guaranteed twelve consecutive hours of daily rest, freedom of movement during rest periods, and a weekly rest of one and a half days. Failure to provide a written contract should create a statutory presumption in favour of the worker in any employment dispute.

C. Social Security Architecture

The Act should establish a National Domestic Workers' Welfare Fund, jointly financed by employer contributions (four per cent of monthly wages), worker contributions (one per cent of monthly wages), and central government grants. The Fund should provide registered domestic workers with health insurance under the Pradhan Mantri Jan Arogya Yojana or an equivalent scheme, maternity benefits of twenty-six weeks for workers with fewer than two surviving children, provident fund benefits, pension on retirement, and life and disability insurance coverage.

Maternity benefit costs should be borne by the National Welfare Fund rather than the individual household employer, eliminating the financial disincentive that would otherwise cause small household employers to avoid employing women of childbearing age. Workers employed continuously for five years or more should be entitled to gratuity at fifteen days' wages per completed year of service, consistent with the Payment of Gratuity Act model.

D. Institutional Framework and Enforcement

The Act should establish a National Domestic Workers' Board (NDWB) as an autonomous statutory authority with responsibility for maintaining the national registry of domestic workers and employers, administering the National Welfare Fund, issuing wage guidelines, promoting skill development, and monitoring state-level implementation. State Domestic Workers' Boards should be established in each state as the primary registration authority and benefit delivery channel. The Boards should include domestic worker representatives constituting not less than one-third of their membership.

A dedicated cadre of Domestic Workers' Labour Inspectors should be trained for household

[206]Ministry of Labour and Employment, Government of India, 'Report of the Working Group on Labour Laws for Domestic Workers' (2010); Domestic Workers Welfare and Social Security Act: Discussion Draft (Ministry of Labour and Employment, India 2012).

inspections, which should be complaint-triggered and conducted subject to procedural protections for privacy. Emergency inspection powers—permitting warrantless entry—should be available where credible allegations of forced labour, physical abuse, or trafficking are raised. Penalties should be graduated: civil penalties for registration and wage compliance failures, and criminal liability reserved for forced labour, trafficking, and physical abuse offences. Every district should have a Local Domestic Workers' Complaints Committee with jurisdiction over sexual harassment and exploitation complaints, with a mandatory sixty-day processing timeline.

E. Placement Agency Regulation

All private placement agencies supplying domestic workers should be required to obtain licences from the appropriate authority, conditional on minimum wage compliance, record maintenance, and adherence to anti-trafficking protocols. Agencies should be jointly liable with household employers for wage arrears. Unlicensed placement operations should constitute a cognisable criminal offence. Workers should not be charged any placement fee; all agency costs should be borne by household employers.

VII. CONCLUSIONS AND RECOMMENDATIONS

This article has demonstrated that the legal exclusion of domestic workers in India is simultaneously a constitutional failure, a human rights deficit, and a policy choice that is both correctable and urgently in need of correction. Millions of workers—predominantly women from historically disadvantaged castes and communities—contribute indispensable labour to the Indian economy and to individual households, yet receive in return no minimum wage guarantee, no social security, no occupational protection, and no effective legal recourse. This is not a marginal or technical lacuna in the statute book; it is a systemic injustice embedded in the architecture of Indian labour law.[207]

The constitutional framework—Articles 14, 21, and 23, read with the Directive Principles—imposes an affirmative obligation on the state that cannot be discharged by incremental, partial, or state-level measures. The four Labour Codes of 2019–2020, despite their scope and ambition, have not fulfilled this obligation. A dedicated national statute is both necessary and, as comparative analysis confirms, achievable.

The following specific recommendations emerge from this study. Parliament should enact a comprehensive Domestic Workers (Protection, Welfare and Social Security) Act covering all domestic workers irrespective of hours, number of employers, or live-in or live-out status. India should ratify ILO Convention No 189 concurrently with or immediately following that enactment. A National Domestic Workers' Board should be established as an autonomous statutory body. Placement agencies should be brought within a mandatory licensing regime with anti-trafficking safeguards. Local Domestic Workers' Complaints Committees should be constituted in every district. Free legal aid should be made universally available to domestic workers in rights enforcement proceedings. A national digital registration and complaints platform should be developed, accessible in all major regional languages. A dedicated national survey of domestic workers should be conducted every five years to generate reliable data for evidence-based reform.

Legal recognition of domestic workers is not a peripheral labour law question. It is a matter of constitutional justice and of the state's basic obligation to treat every worker as a rights-bearing person rather than as an invisible instrument of household maintenance. The time for comprehensive reform is long overdue.

BIBLIOGRAPHY

A. Primary Sources

[207] ILO, 'World Employment and Social Outlook 2023: The Value of Essential Work' (ILO 2023) 45.

I. Constitutional Provisions

Constitution of India 1950, arts 14, 15, 19, 21, 23, 38, 39, 41, 42, 43, 43A.

II. Central Legislation

Minimum Wages Act 1948 (India).

Employees' State Insurance Act 1948 (India).

Employees' Provident Funds and Miscellaneous Provisions Act 1952 (India).

Maternity Benefit Act 1961 (India).

Payment of Bonus Act 1965 (India).

Payment of Gratuity Act 1972 (India).

Unorganised Workers' Social Security Act 2008 (India).

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

Code on Wages 2019 (India).

Code on Social Security 2020 (India).

Occupational Safety, Health and Working Conditions Code 2020 (India).

Industrial Relations Code 2020 (India).

III. State Legislation

Kerala Domestic Workers Act 1980 (as amended 2017).

Maharashtra Domestic Workers Welfare Board Act 2008.

Karnataka Domestic Workers (Regulation of Employment and Conditions of Service) Rules 2016.

Rajasthan Domestic Workers (Registration and Welfare) Rules 2015.

IV. International Instruments

ILO Convention No 189 Concerning Decent Work for Domestic Workers 2011 (C189).

ILO Recommendation No 201 (Domestic Workers Recommendation 2011) (R201).

United Nations Convention on the Rights of the Child 1989.

V. Case Law

Olga Tellis v Bombay Municipal Corporation (1985) 3 SCC 545.

Bandhua Mukti Morcha v Union of India (1984) 3 SCC 161.

People's Union for Democratic Rights v Union of India (1982) 3 SCC 235.

Consumer Education and Research Centre v Union of India (1995) 3 SCC 42.

Kailash Chandra v Union of India (2011) SCC OnLine Del 1472.

B. Secondary Sources

I. Books

Boris E and Klein J, Caring for America: Home Health Workers in the Shadow of the Welfare State (OUP 2012).

Breman J and Das SK, Down and Out: Labouring Under Global Capitalism (OUP 2000).

Glenn EN, Forced to Care: Coercion and Caregiving in America (Harvard University Press 2010).

Hochschild AR, The Managed Heart: Commercialization of Human Feeling (University of California Press 1983).

Parrenas RS, Servants of Globalization: Women, Migration and Domestic Work (Stanford University Press 2001).

II. Journal Articles

Fudge J, 'Global Care Chains, Employment Agencies and the Conundrum of Jurisdiction' (2012) 21(3) Social & Legal Studies 105.

Gopal M, 'Unrecognised Labour: Women Domestic Workers' (2016) 51(38) Economic and Political Weekly 73.

Mantouvalou V, 'Are Labour Rights Human Rights?' (2012) 3(2) European Labour Law Journal 151.

Mehta PK, 'Domestic Workers in India: A Study of Labour Laws' (2017) 5(2) International Journal of Law 112.

Mundlak G and Shamir I, 'Between Intimacy and Alienation: Legal Constructions of Labor and Welfare Relations' (2011) 33 Comparative Labor Law & Policy Journal 241.

Neetha N, 'Regulating Domestic Work' (2009) 44(43) Economic and Political Weekly 26.

Neetha N, 'Paid Domestic Work and the Households that Employ Them' (2009) 44(43) Economic and Political Weekly 31.

Neetha N and Palriwala R, 'Absence of State and the Family: The Case of Domestic Service in India' (2011) 46(43) Economic and Political Weekly 41.

III. Government and International Organisation Reports

NCEUS, Report on Conditions of Work and Promotion of Livelihoods in the Unorganised Sector (Government of India 2007).

NCEUS, The Challenge of Employment in India (Government of India 2009) vol 1.

Ministry of Labour and Employment, Report of the Working Group on Labour Laws for Domestic Workers (Government of India 2010).

ILO, Domestic Workers across the World: Global and Regional Statistics and the Extent of Legal Protection (ILO 2013).

ILO, Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of Convention No 189 (ILO 2021).

ILO, World Employment and Social Outlook 2023: The Value of Essential Work (ILO 2023).

Law Commission of India, Report No 268: Amendments to Criminal Laws to Combat Trafficking (Ministry of Law and Justice 2017).

Bindeshwari Prasad Maurya, 'Domestic Workers in India: Legal Protection and Social Security' (PhD thesis, Banaras Hindu University 2019).

IV. Online Resources

ILO NORMLEX (database of international labour standards) <https://www.ilo.org/dyn/normlex> accessed 20 April 2026.

Human Rights Watch, 'Domestic Workers' Rights Globally' (HRW 2012) <https://www.hrw.org> accessed 14 April 2026.

International Domestic Workers Federation <https://idwfed.org> accessed 10 April 2026.

National Crime Records Bureau, Crime in India 2022 <https://ncrb.gov.in> accessed 15 April 2026.