

THE PLIGHT OF ANGANWADI WORKERS-AN ANALYSIS

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ABSTRACT

The Integrated Child Development Services (herein referred to as ICDS) Scheme was comprehended in 1975 with a united delivery package of early childhood services. The scheme aims to improve the health and nutritional grade of weak groups which would include infants, nursing mothers, and expectant women through offering a service that would include health check-ups, nourishment and health education, referral services and immunization. The ICDS can be traced to the National policy for children which recognises that most of India's children live in an improvised economic environmental condition that impedes their mental and physical and mental health. ICDS services are offered over a huge system of ICDS centres commonly referred to us as Anganwadi worker who is assisted by Anganwadi helper. As far as the Anganwadi workers are concerned they play a vital role in the ICDS scheme. Approximately 28 lakhs of Anganwadi workers are engaged by ICDS. It is through Anganwadi that the ICDS deliver its services to mother and children. An Anganwadi generally covers 1000 in an urban and rural areas and 700 in tribal areas. An Anganwadi worker is a part-time honorary worker they are the one who delivers services at Anganwadi centres. Being the efficient unit of the ICDS programme which includes diverse groups of beneficiaries, the AWW has to conduct various types of job responsibilities. Despite Anganwadi workers' voluntary position, the multiple roles and responsibilities generally amount to a full day's work. The role played by Anganwadi women does not succeed as being part or voluntary. In 2018 the central government increased the honorarium to rupees 4,500 from 3,000 per month. Despite this, there is a lot of variance in what these workers get paid in different states. In September 2018 Anganwadi workers joined the farmers they were worried about their honorarium and the facility provided to them. The government has insisted that Anganwadi workers are not considered employees because of the nature of work they perform they are treated as 'honorary' workers. The parliamentary standing committee on labour has said the worker of Anganwadi must be formalized and they should not be treated as honorary workers. Through this paper, I will highlight the role and responsibilities of Anganwadi workers. Through this paper, the author will attempt to analyse the plight of Anganwadi Workers (AWWs) in the light of the judgement of the Supreme Court in the State of Karnataka & Others vs Ameerbi & Others.

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INTRODUCTION

Article 47 of the Indian Constitution emphasises the level of nutrition and standard of living of the people. Under the directive principles of the state policy, it is expressly mentioned that the state must raise the level of nutrition and the standard of living of its people and also improve public health¹. The Government of India for the above purpose launched a welfare scheme, namely, Integrated Child Development Services Scheme in the year 1975.² Integrated Child Development Services (ICDS) is considered as world's main programme of child care and their development (ECCD).³ The Anganwadi Centres which were running in the country since 1975 under the Integrated Child Development Services Scheme, now have been given statutory recognition under the Act, 2013. Section 2(1) defines Anganwadi in the following words:

Section 2(1) defines Anganwadi means "a child care and development centre set up under the Integrated Child Development Services Scheme of the Central Government to render services covered under section 4, clause (a) of subsection (1) of section 5 and 6."⁴

The programme is completely sponsored by the Central government. The application of the programme lies in the hands of the respective states. As far as Anganwadi workers are concerned they are selected by a committee and amongst the local inhabitants. As per the scheme, one hundred Anganwadi workers are required to be recruited from each of the urban projects and 50 for tribal projects. ICDS services are delivered at Anganwadi centres (AWC) by Anganwadi workers across India. Approximately 1.35 million Anganwadi workers are involved in it.⁵ The services are offered to vulnerable groups of society and its free of charge. The Anganwadi worker plays an important role because of their contact with the beneficiaries. The role of Anganwadi workers is to offer nutrition to children under the age of six years, expectant mothers and breastfeeding mothers from marginalised sections. It is the responsibility of Anganwadi workers to vaccinate children less than six years of age, they need to educate women who are of the age of 15-45 years about rudimentary health. Basic health care comprises prenatal care of pregnant women, post-delivery care of nursing mothers and

¹Constitution of India,1950, A 47.

² Ministry of women and Child development, Government of India, 'Integrated Child Development Scheme', <http://icds-wcd.nic.in/> accessed on 29.1.12

³By Atanu Sengupta and Asish Kumar Pal, 'A Circle of Fire: A study on rural Anganwadi workers during the Covid-19 pandemic' Mainstream, VOL LIX No 20, New Delhi, May 1, 2021

⁴ National Food Security Act, 2013, s 2 (1).

⁵ By Mohini Kak and Deepika Chowdhary, 'Empowering grassroots workers to fight undernutrition in India' World Bank Blogs, published on 02/06/20.

care of newborn children. These workers are providing core services in core areas like education nutrition and health.⁶ Anganwadi workers are considered the “face” and “hands” of social welfare schemes that cover children, pregnant women, the old and the malnourished. Sometimes they are expected to conduct surveys and data collection for the government. ASHA and Anganwadi workforces are part of India’s successful National Rural Health Mission (herein called NRHM). Through this scheme, the government is bringing health care services to every person. Anganwadi workers are responsible for carrying out the government’s nutrition program for children.⁷

On the health front, they play an important role. As per National Health Mission guidelines, the main task of ASHA workers is to create awareness and spread information to society on the subject of sanitation, nutrition hygiene family planning and public health services.⁸ Apart from their defined tasks they have to perform other work assigned to them by different government departments. One of the Anganwadi workers stated that “to prevent the spread of dengue and malaria during the rainy season they had to go fishing and put those fish in wells or in any issued water where the larva is more.”⁹ Under Integrated Child Development Scheme (ICDS) Anganwadi workers get only an honorarium. They are entitled to incentives for various activities they do, the monthly payment is an aggregate of points they acquire for such workers. For example, India celebrates biannually National Deworming Day and tablet is distributed to children from one to 19 yrs. of age. They get Rupees 100 for each tablet and each of them has to cover 400 houses. They perform their duties but don’t get incentives.¹⁰

REPURPOSING THE ANGANWADI ECOSYSTEM FOR COVID-19

It was COVID-19 that highlighted the working condition of the majority of women who are employed under various schemes of the government. Generally, during normal times, Anganwadi workers engaged on the frontline to fight against malnutrition. But during COVID-19 around 2.7 million Anganwadi workers became frontline health workers. Apart from their defined task, they are involved in distributing dry rations and cooked food and spreading

⁶ Economical & politically weekly, ‘Workers in Their Own Right ‘ <https://www.epw.in/journal/2019/8> visited on 28.2.22.

⁷ Ayshee Bhaduri/Meenakshi Ray ‘ASHA Anganwadi workers to go on nationwide strike today’, published on 08/24/21.

⁸ NATIONAL RURAL HEALTH MISSION Meeting people’s health needs in rural areas available at <https://nhm.gov.in/WriteReadData/1892s/nrhm-framework-latest.pdf> accessed on 01/22/2022.

⁹ Dipa Sinha, Mohini Gupta and Diksha Shrijan, ‘High Risk without Recognition: Challenges Faced by Female Front-line Workers’, EPW vol56, Issue No: 19,08 May 2021.

¹⁰ Nikhil M. Babu , ‘Delhi begins training of doctors for vaccination drive’ The Hindu 15/12/2020.

awareness about the virus.¹¹ During COVID-19 the Ministry of Women and Child Development has taken an initiative to have an online interactive training session for Anganwadi workers nationwide. The purpose was to educate the people about the coronavirus, and also how to take the precautionary measures and the psychosocial impact of COVID-19 on women and children.¹²¹³ The health of the frontline workers considers to be a priority and, in this view, the Ministry of Health and Family Welfare (MoHFW) has given its complete guidelines for frontline workers for encircling the virus (especially in containment zones).¹⁴ Apart from their defined work they have been involved in other works. ICDS functionaries were involved in producing masks for people and donated funds to their respective states. In the state of Mizoram in Anganwadi centres, the workers and volunteers have initiated the drive 'Mask for All'. Through this drive, thousands of masks were distributed by the functionaries in communities.¹⁵ Anganwadi functionaries as part of the drive trained the people on stitching the masks.¹⁶ They were engaged by the government to ensure that every person follow the guidance given by the government regarding COVID-19. One of the Anganwadi workers from Uttar Pradesh Asha Tripathi states that "Caution is the only solution. We are advising people not to violate the lockdown and to avoid crowded places." Amrika, an Anganwadi worker from Kawardha district, Chhattisgarh, another low-income state said "I have to inform the panchayat (village council) about any person entering the village from outside, meet that person and advise them to stay in quarantine for 14 days,"¹⁷ An Anganwadi worker from Tata Nagar in Madhya Pradesh who was involved in numerous COVID surveys during the second wave of the pandemic said "people were scared of reporting even regular cough and cold." Not only that some time they had to face humiliation explaining her role during COVID, Ms Kumavat said, "We were given thermal scanners and asked to check people for COVID like symptoms, but people would shut doors on our face, hurl abuses at us and not talk to us." But because of

¹¹ Anganwadi Children are being taught various life skills through the unique Umbare Anganwadi initiative of WCD department of Gujarat, All India Radio, Retrieved 12/10/21.

¹² Anganwadi workers get online sessions on COVID-19 steps, The Hindu (5 April 2020), Retrieved 01/22/2022.

¹³ COVID-19 Frontline Worker Toolkit in English, MoHFW, Government of India (28 March 2020), Retrieved 01/22/2022.

¹⁴ Micro Plan for Containing Local Transmission of Coronavirus Disease (COVID19), MoHFW, Retrieved 12/02/21.

¹⁵ Mizoram: Anganwadi Centres under ICDS Project making, distributing Mask, All India Radio News (29 April 2020), Retrieved 12/13/2021.

¹⁶ Mizoram Anganwadi centres begin 'Mask for all campaign' during #COVID19Pandemic, All India Radio News, Retrieved 12/10/21.

¹⁷ Junaid Ahmad, 'India: The Dual Battle Against Undernutrition and COVID-19 (Coronavirus)', THE WORLD BANK, published on 04/27/2020.

our regular visit we saw change in the people they became aware and they used to inform us in the particular house a person is having symptoms of covid they came from outside. Community engagement used to help us in a big way.¹⁸

These high-risk new responsibilities are over and above their already heavy workload of delivering nutrition to women and children and other health outreach services such as mass immunization and forging a vital link between the government and the community.¹⁹ Through these difficult times, the role of women's battle against undernutrition has expected to greater importance. During pandemics and stoppage of economic activity shown that providing nutrition and food becomes more essential. Food prices were high, supply chains were broken and the vulnerable and poor fall heavily. At such hard times, the government's initiative was needed. The Anganwadi workers and helpers throughout the pandemic distributed Take Home Ration (THR) for malnourished children, to pregnant and nursing mothers.²⁰ During a lockdown, more than a 47percent of women in the country were victims of domestic violence according to National Commission for Women a significantly high number of complaints have been received during April and May 2020. Anganwadi workers have executed efforts to curb domestic violence against women across the country.²¹ The Anganwadi Workers were given smartphones so they can be accessible and be in touch with rural communities at the grassroots level. They were made coordinators to inform the complaints of domestic abuse to their superior officials.²² The Anganwadi workers were submerged in a circle of fire. They were already in a miserable state. Pandemic brought a major blow to them. They were not prepared for unprecedented situations. Many Anganwadi workers were not aware of how to work in the field. They were not trained or counselled or trained properly. When the lockdown in the initial days of April and May this year curtail the movement of millions of people across the nation, many such workers were stranded due to a lack of transportation facilities. But they were still expected to do their jobs despite the limited transport facilities. Pandemic has made in-person delivery of education impossible for everyone. There were innovative steps taken by different states across the country to deliver early childhood. With the introduction of technology, the

¹⁸ Aastha Ahuja 'No Work from Home For India's Grassroot Health Workers – Anganwadi Workers, ASHAs And ANMs – Even During COVID-19' POSHAN MAHA 2021 on 08/13/21.

¹⁹ A report of Anganwadi Workers <http://poshan.outlookindia>.

²⁰ India: The Dual Battle Against Undernutrition and COVID-19 (Coronavirus), The World Bank, Retrieved 12/09/21.
May 2020

²¹ Domestic violence accounts for over 47% complaints to NCW in "lockdown", The Times of India (2 June 2020), Retrieved 12/19/21.

²² Effective steps taken to curb domestic violence during lockdown, TN tells Madras HC, the new Indian Express (25 April 2020), Retrieved 12/09/21.

conventional education activities at Anganwadi centres have been digitised and apps shared with parents to keep children engaged and to support their psychological well-being during the lockdown. For example, in the state of Tamil Nadu Anganwadi workers send educational exercises video and audio content to parents.²³ Along similar lines, the Department of Women and Children of the Gujarat Government has launched an initiative called 'Umbare Anganwadi' (Doorstep Anganwadi). The purpose of this video is to teach regular theme-based Anganwadi modules of preschool education. This video is called 'Umbare Anganwadi' which will be telecast every alternate day and is shared on online streaming platforms, in which education is taught interactively.²⁴

CAREGIVER'S PLIGHT

Last year millions of Accredited Social Health Activists (ASHA) and Anganwadi workers decided to go on a nationwide strike to put pressure on the government for their demand for insurance cover and risk allowance while on Covid duty and also bring the issue of trade Union's regularisation of their appointment. In Haryana, more than 1000 Anganwadi workers protested against the Haryana government demanding wage hikes Insurance and better working conditions. Under the banner Scheme Workers Federation of India which is affiliated with All India Trade Union centre (AIUTUC) and other unions, ASHA Anganwadi mid-day scheme workers organised a nationwide protest on September 24, 2021. The Unions leading the striking Anganwadi workers ask them to strengthen the strike with a Jail Bharo agitation on January 12. The Haryana government refused to give the increment to the all-women working in the state promised to them by the union government in the year 2018.

Anganwadi workers of Delhi protested to demand the payment of honorarium and release of provident fund and social security. The General Secretary of all India Anganwadi Workers' Federation stated "It was from the 1980s that Anganwadi workers started unionizing themselves and from that period onwards, they have been stepping by step seeking a rise in honorarium and asking for regularization. They submitted various memoranda to respective Governments and formed Samyukta Sangharsha Samiti of Anganwadi workers, which was a joint battle by all Anganwadi workers to fight unitedly for their demands."²⁵ The condition of

²³Parents take the role of teachers at home', New Indian Express (18 April 2020), Retrieved 12/02/21.

²⁴ Anganwadi Children are being taught various life skills through the unique Umbare Anganwadi initiative of WCD department of Gujarat, All India Radio, Retrieved 12/10/21.

²⁵Committee Report available on <http://164.100.47.5/rs/book2/reports/petition/129threport.htm> Last visited on 12/09/21.

these workers is explained by the general secretary of Delhi Anganwadi workers and helpers affiliated with CITU “Regardless of the party in power, the government, since 1991, has been trying to involve private players in social welfare schemes and step away from its responsibilities and this attitude is affecting the workers severely. ICDS is a central government scheme and the Centre should take full responsibility.” told The Wire.²⁶ Moreover, the Women Development and Child Welfare Department, in partnership with the School Education Department, has proposed the idea to guarantee transparency and suggested it is necessary to bring Anganwadi workers under the system of biometric attendance. The purpose of this initiative is to track the issues related to absenteeism and other irregularities among Anganwadi teachers. Almost 4,162 Anganwadi centres have been connected to the nearby government school located within a one-kilometre radius. The biometric machine has already been installed in government schools so the data of the Anganwadi staff will be recorded.²⁷ The change in the attendance system by the government put extra pressure on these functionaries under ICDS. The smartphones were not available to workers. The workers were directed to buy the smartphones. The Kejriwal government promised that it will provide mobile and internet charges to the Anganwadi workers’ but they have not received it even once.²⁸ The Ministry of Women and Child Development on its website mentioned the provisions for insurance and maternity leave for Anganwadi workers.²⁹ It has been confirmed by the Ministry of Women and Child Development that Anganwadi Workers/Anganwadi Helpers under the ICDS Scheme those who are between 18-50 years of age would have come under the benefits of the Pradhan Mantri Jeevan and Jyoti Bima Yojana (PMJJBY) for life cover and those in the age group of 18-59 years as would be covered under the Pradhan Mantri Suraksha Bima Yojana (PMSBY) for accidental cover. The AWWs/AWHs in the age group of 51-59 years and also covered under Karyakarti Bima Yojana (AKBY) for life cover as long as they are engaged.³⁰ During their protests the Anganwadi workers have mentioned first they are not aware of the schemes introduced by the government for them. Moreover, most of the schemes have not been implemented effectively.³¹ The government announced regarding honorarium of

²⁶ Manira Chaudhary, ‘Taken for Granted and Ignored’, Anganwadi Workers Demand Better Pay, Conditions’, THE WIRE, published on 09/10/2019.

²⁷ Rani Devalla ‘Biometric attendance system for anganwadi workers’ by The Hindu published on 04/04/2018.

²⁸ By Abhishek Dey, ‘All quiet on Delhi front: Why Kejriwal & Modi govts have avoided conflict since new law came in.’ The Print published on 12/15/21.

²⁹ <https://wcd.nic.in/sites/default/files/Paid.pdf> visited on 27/01/22

³⁰ <https://wcd.nic.in/sites/default/files/Paid.pdf> visited on 27/01/22.

³¹ Manira Chaudhary, ‘Taken for Granted and Ignored’, Anganwadi Workers Demand Better Pay, Conditions’, THE WIRE, published on 09/10/2019.

these workers it was since October 2018,³² the government has increased the honorarium from rupees 3000 to 4500 per month and also announced a performance-based intensive of per month rupees 250 to rupees 500 under Poshan Abhiyan.³³

The Bill titled ‘Welfare Measures for Anganwadi Workers and Anganwadi Helpers’ was introduced by a member of Parliament to demand an increase in the honorarium for Anganwadi workers and helpers. He insisted that “present incentives given to the Anganwadi workers are minimal, and in that too the state government’s share is more. He requested to increase the Central government's share in the incentive and performance-based incentive for those ground workers who have been taking care of the children at the grassroots level.” Further, he said that it's shameful that “Anganwadi workers are paying so less only receive Rs 4,500 a month.”³⁴

ISSUES NEED TO BE ADDRESSED

Integrated Child Development Scheme was started on October 2, 1975. The nature of the scheme was temporary but it provides several services. There is a need to institutionalise the ICDS scheme in the form of a permanent programme under the Ministry. The functionaries of this scheme should be inducted as regularized government employees. They are demanding regularisation of their services. In the case of the **State of Karnataka and others Vs. Ameerbi and others**³⁵ of the Hon'ble Supreme Court observed that “the persons working as Angan Bari Karyakarti do not hold the civil post and their application is not maintainable under Section 15 of the Administrative Tribunals Act. The post of Angan Bari workers is not a statutory post and they are created under a scheme. The Angan Bari Workers do not carry on any function of the State. No recruitment rules are followed in their appointments. The process by which these functionaries are recruited is not regulated by the Constitution or any statute. These posts are not created under Article 77 and 162 of the Constitution of India.”

The Anganwadi workers are earning less than the minimum wage fixed by the states. They demanded rupees 18,000 per month. As far as the honorarium of Anganwadi workers is concerned it's minimal. There is no uniformity, each state fixed a different honorarium for

³² Ministry of Women and Child Development
https://wcd.nic.in/sites/default/files/Revised%20rates%20of%20Honorarium_0.pdf visited on 27.01.22

³³ Ministry of Women and Child Development
https://wcd.nic.in/sites/default/files/Revised%20rates%20of%20Honorarium_0.pdf visited on 28.2.22

³⁴ By IANS ‘Demand to Increase Honorarium for Anganwadi Workers Raised In LS’ Sambad English Bureau published on 12/11/21.

³⁵ (2007) 11 Supreme Court Cases 681.

Anganwadi workers. The money which Anganwadi workers and helpers get is not enough to offer satisfactory nutrition to their children.

Under the IDA (herein referred to Industrial Disputes Act, 1947) Anganwadi workers are not covered. In the case of **Manjulaben Meghjihbhai Bagada v. Bal Vikas Adhikari and others**,³⁶ the court held that the Anganwadi workers will not come under the ambit of the workman. The court clearly stated that the post of the Anganwadi workers is not a statutory post. Under the ICDS programme /scheme, the post of these workers that have been created cannot be said to be 'industry' under the IDA.

SUGGESTIONS

The regularisation of the Anganwadi worker is directly under the control of the Ministry. When the power is given to the Ministry to take disciplinary action against them and they can even remove them. It shows they are regulated by the Ministry through notification and directions. It shows there is an existence of the employer-employee relationship. so, then what are the reasons which stop them from being regular workers. I suggest that instead of treating the ICDS scheme as temporary it shall be a permanent scheme and should involve employees as government employees.

The newly enacted Social Security Code³⁷ applies to organised and unorganised sectors. This existing code's purpose is to widen the ambit of social security benefits to all employees and workers irrespective of the sectors in which they work. The new code does not cover ASHA and Anganwadi workers. There is a need to acknowledge their contributions to society which should be covered under the Code.

The Code on Wages will apply to all employees. The power is given to the central government to make wage-related decisions for employments such as railways, mines, and oil fields, among others and the respective State governments will make decisions for all other employments. The Code left these workers out of its coverage. When they are excluded, they are deprived of a fixed minimum wage. It was held in *People's Union for Democratic ... vs Union of India & Others*³⁸ that less than minimum wages would be considered forced labour. Need to justify why Anganwadi workers are excluded from minimum wage.

³⁶ SPECIAL CIVIL APPLICATION NO. 2290 of 2017

³⁷ Code on Social Security, 2020

³⁸ 1982 AIR 1473, 1983 SCR (1) 456

CONCLUSION

Anganwadi workers (AWWs) are projected as the important and fundamental agents of India's Integrated Child Development Services (ICDS). But their initiatives are undervalued and not acknowledged. These workers are engaged in Aadhar registration, election duty and also in Covid-19. Most of them are going door to door surveys to trace out if anyone comes from an outside country or has any respiratory issues. They were involved in distributing masks to track vaccination schedules and breastfeeding mothers. They get a minimal honorarium for these initiatives, which is less than minimum wages. They should be recognised and not taken for granted.