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GIG WORKERS IN THE INDIA ECONOMY 2025

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The gig economy in India has witnessed substantial growth, contributing significantly to employment and economic activities. NITI Aayog (2022)¹ estimated the Gig & Platform workforce to be around 77 lakhs in 2021, likely to increase to 2.35 Crores in 2029-30, constituting 4.1% of the total workforce. BCG estimates the gig economy could support 90 million non-farm jobs, generate USD 250 billion in work, and boost GDP by 1.25% (BCG, 2021). These workers are engaged across diverse sectors, such as ride-sharing, food delivery, and freelance services, which are vital in driving the country's economy.

The growth of the platform economy has led to the need for a legal framework to regulate work conditions and protect the rights of gig workers. Although platforms were initially conceived as flexible options to realise additional income, workers have become increasingly dependent on platform-based aggregators for their livelihoods, often making the platform work their primary source of income. The platform economy has become a major creator of unskilled and semi-skilled jobs for lakhs, many of whom have given up agricultural work and migrated to urban centres for gig employment.

However, despite their crucial contributions, many gig workers face precarious working conditions, including income instability, lack of health benefits, and the absence of formal social security mechanisms. The nature of their contracts has further exacerbated this situation, often leaving them without access to traditional employment benefits like health insurance, paid leave, and pensions. In response to these challenges, recent budget announcements have emphasised the need for a formalised support structure for gig workers. The 2025 Union Budget² includes provisions to integrate gig workers into India's social security framework, such as offering health insurance through the Pradhan Mantri Jan Arogya Yojana (PM-JAY). It plans to establish a national database for gig workers, providing them with access to essential services like housing, skill development, insurance, and food security.

These efforts highlight the urgent need to address the welfare of gig workers and underscore the importance of creating a robust social security architecture that ensures their protection, stability, and well-being in the rapidly evolving labour market.

For Gig workers, the committee comprises representatives from Telangana, Karnataka, Haryana, Madhya Pradesh, and Rajasthan, with Telangana hosting the first round of consultations.

¹ Niti Aayog India's Booming Gig and Platform Economy, perspective and recommendations on future of work

² Union budget 2025-2026



STATUS OF STATE GIG WORKERS ACTS AND BILLS

STATE	LEGISLATION/INITIATIVE	STATUS
Rajasthan ³	Rajasthan Platform-Based Gig Workers (Registration and Welfare) Act, 2023	Enacted in 2023, this pioneering law mandates the registration of gig workers and aggregators, ensuring social security benefits and establishing a grievance redressal mechanism.
Karnataka ⁴	Karnataka Platform-Based Gig Workers (Social Security and Welfare) Bill, 2024	Proposed in 2024, this bill aims to protect gig workers from unjust dismissal, provides a dispute resolution mechanism, and plans to establish a welfare board and fund. The Karnataka Govt. cleared bill in April 2025
Jharkhand ⁵	Jharkhand Platform-Based Gig Workers (Registration and Welfare) Bill, 2024	Proposed in 2024, this bill focuses on the registration and welfare of gig workers, aiming to provide them with social security benefits.
Tamil Nadu ⁶	Establishment of Tamil Nadu Platform-Based Gig Workers Welfare Board	The state has set up a welfare board dedicated to the well-being of gig workers, focusing on their social security and rights protection.
Telangana ⁷	Draft Gig and Platform Workers (Registration, Social Security and welfare) Act, 2025	Currently in the public domain for recommendations from stakeholders

GRASP - EDUCATE - EVOLVE

³ Rajasthan Platform Based Gig Workers (Registration and Welfare) Bill, 2023 ("the Bill") seeking comments from the public.

⁴ The Karnataka Platform Based Gig Workers (Social Security and Welfare) Bill 2024

⁵ The Jharkhand Platform Based Gig Workers (Social Security and Welfare) Bill, 2024

⁶ Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982 Amended to c cover gig work.

⁷ Draft Gig and Platform Workers (Registration, Social Security and welfare) Act, 2025



The Ministry of Labour and Employment has announced plans to onboard platform workers onto the E-Shram portal (E-Shram 2.0) to provide social security benefits such as health insurance and pensions. They have invited platform aggregators to register themselves and their workers on the e-Shram portal, assigning Universal Account Numbers (UAN) to facilitate access to welfare schemes. The Ministry has issued advisories with Standard Operating Procedures (SOPs) outlining aggregator responsibilities, including regular updates of worker data. Additionally, the Ministry is collaborating with aggregators to ensure comprehensive coverage and has scheduled meetings to encourage participation in this initiative.

However, the registration process for gig and platform workers under the e-Shram portal has raised confusion among state labour departments. There is uncertainty regarding whether the registration of platform workers will be managed centrally through the e-Shram portal or if states will implement their own registration modules. Clarification of the roles of central and state authorities in this registration process is essential for streamlined implementation.

CODE ON SOCIAL SECURITY

The Code on Social Security, 2020 (COSS)⁸ is a landmark legislation in India that aims to extend social security benefits to all workers, including those in the unorganised sector, gig workers, and platform workers. For the first time, COSS defines 'gig worker' and 'platform worker', recognising their unique roles in the modern economy.

Under COSS, the Central Government is empowered to formulate social security schemes encompassing:

- Life and disability cover
- Accident insurance
- Health and maternity benefits

- Old age protection
- Crèche facilities
- Any other benefit as determined necessary

To oversee and recommend these schemes, COSS mandates the establishment of a National Social Security Board. This board is tasked with advising the Central Government on suitable schemes for unorganised workers, gig workers, and platform workers. Additionally, a Social Security Fund will be created, financed through contributions from aggregators ranging between 1% to 2% of their annual turnover, subject to a cap of 5% of the amount paid or payable by an aggregator to such workers.

In alignment with COSS, the Government of Telangana has proactively established the Telangana State Social Security Board for Unorganised Workers (Refer GO.Rt.No.24)⁹. This board comprises seven members, including a Chairperson, and representatives from unorganised workers, employers, Members of the Legislative Assembly (MLAs), civil society, and government officials. Notably, the board ensures inclusivity by nominating at least one member each from Scheduled Castes (SC), Scheduled Tribes (ST), minorities, and women.

The board convenes quarterly, with meeting times and locations determined by the Chairperson. A key initiative under the Telangana Social Security Rules is the issuance of identity cards to unorganised workers. The designated registering authority is responsible for providing these identity cards, and facilitating workers' access to various social security benefits.

These measures underscore Telangana's commitment to enhancing the welfare of unorganised workers by ensuring their representation and providing essential social security mechanisms.

⁹ *Telangana G.O MS Rt No 24. Telangana State Social Security Board for Unorganized Workers (TSSSB) is a board constituted under the Unorganized Workers' Social Security Act, 2008.*

⁸ *Code on Social Security 2020 by GoI*



Collectively, these initiatives signify a progressive step towards acknowledging and addressing the social security needs of gig and platform workers, ensuring their welfare in an evolving economic landscape.

Findings in Social Security Code 2020.

Strengthening the Code on Social Security for Gig and Platform Workers: Rights, Inclusion, and Accountability

1. **Access to Labor Rights:** While the Code extends social security benefits to gig and platform workers, it does not grant them traditional labour rights. The Code be amended to provide gig workers with rights such as transparency/fairness in algorithmic allocations and negotiating for better pay.
2. **Eligibility Criteria:** The Code's eligibility requirements for claiming benefits may inadvertently exclude certain workers. Measures should be implemented to ensure inclusive eligibility criteria encompassing all gig and platform workers?
3. **Responsibility Allocation:** The Code designates the provision of welfare measures as a shared responsibility among the Central Government, platform aggregators, and workers but lacks clarity on the specific

obligations of each party. The Code has to be revised to delineate clear responsibilities and the extent of contributions from each stakeholder.

4. **Definition Overlaps:** There appears to be ambiguity due to overlapping definitions of 'unorganized workers,' 'gig workers,' and 'platform workers' within the Code. These definitions to be clarified to ensure schemes are appropriately tailored and applied to each category without confusion.
5. **Jurisdictional Clarity:** The Code presents potential dualities concerning the roles of Central and State Governments in providing social security for unorganized sector workers. Steps can be taken to clearly define the jurisdictions and responsibilities of each level of government to prevent overlaps and ensure effective implementation

CESS COLLECTION FOR GIG AND PLATFORM WORKERS

Implementing a cess is a pivotal strategy to fund social security and welfare measures. Key considerations include determining the basis for cess calculation and deciding the appropriate level of government that should be responsible for its collection.

Basis for Calculation: Transaction vs. Turnover-Based

	Transaction-Based Cess	Turnover-Based Cess
Definition	This approach involves levying a cess on each transaction facilitated by the platform. For instance, Karnataka has proposed a 1-2% cess on transactions conducted through aggregator platforms like Zomato, Swiggy, Ola, and Uber, specifically targeting transportation services.	In this approach, cess is imposed based on the platform's total turnover. This method considers the overall revenue of the platform, potentially leading to a more substantial fund for worker welfare but may be more complex to administer.

<p>Pros</p>	<ul style="list-style-type: none"> • Direct correlation with platform activity, ensuring that contributions are proportionate to usage. • Facilitates easier tracking and auditing of transactions. 	<ul style="list-style-type: none"> • Simpler to administer as it aligns with the platform's financial performance. • Ensures that larger platforms contribute more to the welfare fund.
<p>Cons</p>	<ul style="list-style-type: none"> • May lead to increased costs for consumers if platforms pass on the cess. • Platforms might reduce worker compensation to offset the additional costs. 	<ul style="list-style-type: none"> • May not accurately reflect the actual volume of gig work, especially for platforms with diverse revenue streams. • Potential for revenue underreporting, leading to lesser contributions.

Authority for Cess Collection

- **Central Collection:** Centralised collection could ensure uniformity across states, facilitating standardised benefits for gig workers nationwide. However, it may not account for regional disparities and specific local needs.
- **State Collection:** Allows states to collect the cess and provides flexibility to address local conditions and tailor welfare measures accordingly.
 - Potential disparities between states in terms of resources and benefits provided.
 - Challenges in coordination between states and the central government. For example, Rajasthan has already enacted the Platform Based Gig Workers (Registration and Welfare) Act, 2023, establishing a welfare board and levying a welfare cess for gig workers.

fund welfare schemes for gig and platform workers is still emerging, with limited examples of turnover-based or transaction-based cess systems. While several countries have enacted legislation to provide social security and benefits to gig workers, specific models involving cess collection from platforms are not widely documented.

France¹⁰: The French government mandates that digital platforms inform gig workers about their social security and tax obligations, promoting transparency and compliance.

Italy¹¹: Italy has established a dedicated fund for platform workers, financed through contributions from the platforms themselves, to provide social security benefits.

United States (California): California enacted Assembly Bill 5 (AB5)¹², reclassifying many gig workers as employees, thereby entitling them to benefits such as minimum wage, health insurance, and other labour protections.

United Kingdom: In a landmark 2021 ruling, the UK Supreme Court classified¹³ Uber drivers as workers rather than independent contractors,

INTERNATIONAL EXAMPLES

Internationally, implementing cess collection mechanisms from aggregator platforms to

¹⁰NEW FORMS OF WORK AND PLATFORM WORK Case study: France

¹¹ International Social Security Association (ISSA), Italy's Legislative Decree 101

¹² California's Assembly Bill 5 (AB5), enacted in 2019

¹³ The case, Uber BV v Aslam & Others, upheld previous tribunal decisions that found Uber drivers were not independent contractors but workers under UK employment law.



granting them minimum wage and holiday pay rights. Following this, companies like Bolt have begun offering UK drivers holiday pay and a minimum wage guarantee, aligning with legal requirements.

Mexico: In December 2024, the Mexican Senate¹⁴ approved reforms to improve working conditions for app-based drivers and delivery personnel, ensuring access to social security and other benefits.

These approaches focus on tax compliance and social contributions but do not specifically involve cess collection from platforms. As the gig economy continues to evolve, countries are exploring various models to provide social security and benefits to gig workers, reflecting a growing recognition of the need to adapt labour protections to the changing nature of work.

Cess Collection and Fund Utilization for Gig Worker Welfare: Frameworks, Challenges, and Global Insights"

1. **Determining the Basis for Cess Calculation:** The primary basis for cess calculation to fund gig worker welfare— transaction-based or turnover-based has to be determined. The potential advantages and challenges of each approach has to be reviewed by the government.
2. **Responsibility for Cess Collection:** Which level of government – central or state – should be responsible for collecting the cess? How can we ensure effective utilisation of the funds for gig worker welfare has to be determined.
3. **Learning from International Practices:** Lessons can be drawn from international practices in social security provision for gig workers to inform our

legislative framework

4. **Designing an Efficient Collection Mechanism:** Design a transparent and efficient cess collection mechanism that ensures platform compliance while safeguarding gig workers' interests.
5. **Ensure Effective Fund Utilisation:** Measures implemented to ensure that the collected cess funds are utilised effectively and transparently for the welfare of gig worker has to be framed.

ENFORCEMENT OF WORK HOURS & WORKING CONDITIONS

It is essential to guarantee fair work hours and conditions for gig and platform workers to uphold their rights, protect them from exploitation, and promote their overall well-being. Some considerations under this:

1. **Mandatory Contracts:** Establish compulsory written contracts between platforms and workers, with copies provided to both parties. This ensures clarity in terms of engagement and responsibilities.
2. **Classification as Worker vs. Self-Employed:** Clearly categorise individuals at the outset as either 'workers' or 'self-employed':
 - a. **Workers:** Entitled to regulated working hours, overtime pay, weekly offs, and minimum wages, aligning with existing labour laws.
 - b. **Self-Employed:** Granted flexibility in working hours, with contracts reflecting their autonomous status.
3. **Accessible Support Centers through Local Offices:** Require platforms to maintain dedicated offices in each city to address worker concerns, providing a tangible point of contact beyond faceless customer service interactions.

¹⁴ Mexico's Senate reforms in December 2024 improving working conditions for app-based drivers and delivery personnel, ensuring access to social security and other benefits.

4. Legal Recourse through Right to Appeal: Establish clear guidelines allowing gig workers to seek redressal through appropriate legal channels, ensuring they can challenge unfair practices effectively.

5. Performance Ratings and Termination Policies

- a. **Transparency in De-registration:** Mandate platforms to provide valid reasons for de-registering workers, moving beyond sole reliance on ratings.
- b. **Portability of Ratings:** Allow workers to transfer their performance ratings across platforms, preventing loss of earned reputation and mitigating punitive measures.

6. Transparent Commission Structures

- a. **Clear Communication:** Oblige platforms to proactively inform workers of any changes in commission rates, considering that many workers may lack the resources to monitor such changes independently.

7. Balanced Monitoring: Define clear boundaries between necessary platform oversight and worker autonomy, ensuring that surveillance practices do not infringe on personal freedoms.

8. Worker Representation and Voice: Create avenues for workers to express concerns without fear of retaliation, fostering a more balanced power dynamic between platforms and workers.

9. Protection from Customer Misconduct

Ensuring the safety and dignity of gig workers during their interactions with customers is paramount. Recent legal developments have extended the

applicability of the Prevention of Sexual Harassment (POSH)¹⁵ Act to gig workers, recognising their right to protection against sexual harassment.

a. Implementation of POSH Regulations

- i. **Policy Development:** Platforms should establish clear policies addressing sexual harassment, applicable to both workers and customers.
- ii. **Training Programs:** Regular training sessions should be conducted to educate all stakeholders about acceptable behavior and the procedures for reporting misconduct.
- iii. **Internal Complaints Committees (ICCs):** Platforms must set up ICCs or similar bodies to provide gig workers with formal avenues to report incidents and seek redressal.

b. Comprehensive Safety Measures:

- i. **Panic Buttons and Emergency Support:** Equip workers with tools like panic buttons and ensure prompt emergency support to address immediate threats.
- ii. **Customer Accountability:** Implement mechanisms to hold customers accountable for

¹⁵ *Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013.*

misconduct, including suspension or banning from the platform when necessary.

The below measures can be considered to work towards a more equitable gig economy that respects and upholds the rights of its workers.

- 1. Mechanisms for Worker Classification:** Criteria should be established to accurately classify gig workers as employees or independent contractors, ensuring appropriate legal protections are applied.
- 2. Grievance Redressal Framework:** The platforms should implement effective grievance redressal mechanisms, including establishing physical offices, to address worker concerns promptly and fairly.
- 3. Transparency and Communication:** Measures can be taken to ensure platforms provide transparent contracts and timely notifications regarding changes in commission rates or policies affecting workers.
- 4. Worker Safety and Protection Policies:** Platforms should develop and enforce policies to protect gig workers from harassment and violence, including applying POSH provisions and mechanisms to hold customers accountable for misconduct.
- 5. Regulatory Oversight and Enforcement:** Government agencies should play role in monitoring platform compliance with labour laws (including work hours) and what enforcement mechanisms are necessary to uphold gig worker rights?

BEST PRACTICES FROM OTHER COUNTRIES

Innovative Social Security Mechanisms for Gig and Platform Workers

Ensuring fair wages, social security, and worker protections for gig and platform workers remains a global challenge. Countries have adopted various innovative approaches to address these issues, balancing worker welfare with the flexibility inherent in gig work. Below is an overview of key strategies implemented across different nations:

1. Automatic Deductions from Platform Transactions for Social Security

- a. Indonesia:** The BPJS¹⁶ system automatically deducts a small amount from every ride to provide work injury and death benefits for Gojek drivers. This model facilitates seamless social security contributions without requiring reclassification.
- b. Uruguay¹⁷:** The monotax mechanism integrates gig worker contributions into the tax system, ensuring platform workers receive social security benefits without losing their independent status.

2. Employer Contributions Without Reclassification

- a. Singapore (2025)¹⁸:** The Platform Workers Bill mandates that both workers and platform companies contribute to the Central Provident Fund (CPF), ensuring retirement savings and healthcare benefits for gig workers.

¹⁶ . *Asian Journal of Comparative Law* (2023), *Indonesia's BPJS Ketenagakerjaan program -death benefits for workers, including Gojek drivers, through automatic deductions from earnings. BPJS framework covers healthcare, employment security, and pension benefits.*

¹⁷ *VOL XI NLIU LAW REVIEW ISSUE I 61 UNDERSTANDING SOCIAL SECURITY FOR GIG WORKERS: ANALYZING RECENT DEVELOPMENTS*

¹⁸ *Singapore's Platform Workers Bill (2025)*



b. **South Korea** (2023)¹⁹: Amendments to employment insurance laws require platform operators to report employment status and manage insurance premiums, extending accident and insurance benefits to gig workers.

c. **Malaysia** (2024)²⁰: The upcoming Gig Economy Workers' Act is expected to include social protection, pension savings (via EPF), and dispute resolution mechanisms.

3. Reclassification of Gig Workers as Employees

a. **United Kingdom**: The Taylor Review recommended classifying some gig workers as "workers" rather than self-employed, ensuring access to minimum wage and paid leave.

b. **Spain**: The Rider Law²¹ mandates that delivery platform workers be classified as employees, granting them paid leave and collective bargaining rights.

c. **California, USA**: Assembly Bill 5 (AB5)²² established a strict test requiring gig workers to be classified as employees unless they meet independent contractor

criteria. However, Proposition 22 later exempted some gig platforms while offering guaranteed earnings and benefits.

d. **Germany**: Courts²³ tend to

classify gig workers as employees when they show a high level of dependence on platforms, granting them minimum wage and social security benefits.

e. **European Union**: The Platform Workers Directive (2024)²⁴ sets criteria to determine when gig workers should be classified as employees, ensuring access to social security, fair wages, and benefits.

4. Hybrid and Middle-Ground Approaches

a. **The Netherlands**: Introduced the "dependent self-employed"²⁵ category, which allows gig workers to remain independent while accessing certain labor rights and protections.

b. **Denmark**: Established a tripartite agreement²⁶ between government, unions, and platform companies, ensuring collective bargaining rights and fair wages for gig workers.

c. **France**²⁷: The Freelance Package introduced stronger protections for self-employed workers, including work-related injury coverage and training benefits.

¹⁹ South Korea's 2023 amendments to employment insurance laws

²⁰ Malaysia's Gig Economy Workers' Act (2024)

²¹ Spain's Rider Law, enacted in 2021,

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5. Financial Assistance and Minimum Wage Protections

- a. **New York, USA**²⁸: Introduced minimum wage guarantees for gig workers that account for expenses and waiting time, ensuring fair compensation.
- b. **Mexico** (2024)²⁹: New Senate reforms ensure gig workers have access to social security, Christmas bonuses, and the right to unionize.
- c. **Indonesia** (BLT Program)³⁰: Direct cash assistance for gig workers affected by economic downturns, demonstrating the role of government support in crises.
- d. **Canada** (Ontario Gig Worker Protections)³¹: Ensures minimum wage, transparency in pay, and protection from unjust deactivation.
- e. **Australia** (Fair Work Commission Rulings)³²: Recognizes some gig workers as employees in specific cases, granting them minimum wage and employment benefits.

6. Regulating Gig Work with Freelance and Platform Worker Laws

- a. **Philippines** (Freelance Workers Protection Act, 2021)³³: Mandates written contracts, timely payment, and legal redress for non-payment,

ensuring fair treatment for freelancers and gig workers.

- b. **Chile**³⁴: Requires digital platforms to offer formal contracts, social security contributions, and occupational safety protections for gig workers.

Recommendations for India

Given India's large gig workforce, the country could adopt a hybrid approach by combining:

- **Transaction-based contribution models** (like Indonesia & Uruguay) to fund social security.
- **For retirement and insurance, employer contributions without reclassification** (like Singapore & South Korea).
- **Worker protection frameworks** (like the UK & Netherlands) to grant minimum rights while preserving flexibility.
- **Financial assistance & minimum wage regulations** (like New York & Mexico) to ensure fair compensation.
- **Freelancer protection laws** (like Philippines & Chile) to provide legal safeguards for gig workers.

By drawing from global best practices, India can design a comprehensive, scalable, and context-specific framework that ensures worker security without disrupting the gig economy's flexibility.

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