

CHALLENGES IN IMPLEMENTING WELFARE SCHEMES FOR PLATFORM WORKERS: A CRITICAL ANALYSIS

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ABSTRACT

The rise of platform-based work has fundamentally altered the employment landscape across the world, and India is no exception. Millions of individuals today earn their livelihoods through digital platforms—driving cabs, delivering food, providing home services, and completing micro-tasks—operating in an economic space that sits uneasily between formal employment and self-employment. While the Code on Social Security, 2020 has taken the significant step of recognizing platform workers as a distinct legal category deserving welfare protection, translating this recognition into operational welfare schemes has proven enormously difficult. The challenges are not merely administrative—they are structural, legal, financial, technological, and political. This article examines these challenges in detail, arguing that without a fundamental rethinking of how welfare schemes are designed, funded, and delivered for platform workers, the promise of the Code will remain precisely that—a promise. Drawing upon the Code's provisions, emerging state-level initiatives, international comparisons, and the ground realities faced by platform workers, this article maps the terrain of implementation challenges and proposes practical pathways toward meaningful welfare delivery.

Keywords: Platform Workers, Welfare Schemes, Social Security Code 2020, Section 114, Implementation Challenges, Aggregators, Gig Economy, Labour Law Reform, Portability, Enforcement

I. INTRODUCTION

There is a particular cruelty in being essential but invisible. Platform workers—the delivery executives who bring food to our doors in the rain, the cab drivers who navigate unfamiliar streets at midnight, the home service technicians who fix our plumbing and paint our walls—are among the most visible faces of India's urban economy. Yet they remain, in the eyes of the law and in the design of welfare systems, largely invisible. The numbers are striking. The NITI Aayog estimated India's gig and platform workforce at approximately 7.7 million in 2020-21, with projections suggesting growth to 23.5 million by 2029-30.⁵⁰¹ These

workers collectively log billions of hours of service annually, generate enormous revenues for platform companies, and provide services that millions of urban Indians have come to regard as indispensable. Yet when one of these workers is injured in a road accident, falls seriously ill, or grows too old to continue working, there is typically nothing waiting for them—no insurance payout, no medical coverage, no pension, no severance. The platform simply deactivates their account.

The Code on Social Security, 2020 was supposed to change this. By formally recognizing platform workers as a distinct legal category and empowering governments to frame welfare schemes for them, the Code opened a door that had long been shut. But

⁵⁰¹ NITI Aayog, *India's Booming Gig and Platform Economy: Perspectives and Recommendations* (June 2022), p. 12, available at www.niti.gov.in.

opening a door and walking through it are different things entirely. Nearly four years after the Code's enactment, welfare schemes for platform workers remain largely unimplemented. The door stands open, but no one has walked through it.

This article asks why. What are the specific challenges—legal, structural, financial, technological, political—that have prevented the implementation of welfare schemes for platform workers? And what would it take to overcome them? These are not abstract questions. For every day that implementation is delayed, millions of platform workers remain without protection, one accident or illness away from financial catastrophe.

II. UNDERSTANDING THE PLATFORM WORKER: WHO ARE WE TALKING ABOUT?

A. Defining Platform Workers Under the Code

Before examining implementation challenges, it is worth being precise about who platform workers are, both as a sociological reality and as a legal category.

The Code on Social Security, 2020 offers two related but distinct definitions. Section 2(35) defines a 'gig worker' as: "a person who performs work or participates in a work arrangement and earns from such activities outside of traditional employer–employee relationship."⁵⁰²

Section 2(77) defines 'platform work' as: "a work arrangement outside of a traditional employer–employee relationship in which organisations or individuals use an online platform to access other organisations or individuals to solve specific problems or to provide specific services or any such other activities which may be notified by the Central Government, in exchange for payment."⁵⁰³

And Section 2(61) defines an 'aggregator' as: "a digital intermediary or a market place for a

buyer or user of a service to connect with the seller or the service provider."⁵⁰⁴

These definitions, read together, capture the essential features of platform work: the digital mediation, the task-based compensation, and the deliberate distance from conventional employment. But as this article will demonstrate, the very features that the definitions describe are also the features that make implementation of welfare schemes so difficult.

B. The Diversity of Platform Work

One of the underappreciated challenges in designing welfare schemes for platform workers is the sheer diversity of the category. Platform work in India includes:

- Ride-hailing drivers (Uber, Ola) who work long and irregular hours, own or finance their vehicles, and depend almost entirely on platform income
- Food delivery executives (Swiggy, Zomato) who ride motorcycles through urban traffic, often working for multiple platforms simultaneously
- Home service providers (Urban Company) who offer skilled services—plumbing, electrical work, beauty treatments—and may have invested significantly in their own tools and training
- E-commerce delivery agents (Amazon Flex, Dunzo, Zepto) who handle last-mile logistics under intense time pressure
- Freelance knowledge workers (Upwork, Fiverr, Toptal) who work remotely, often for international clients, on design, writing, coding, and consulting projects
- Micro-task workers (Amazon Mechanical Turk, Appen) who complete small digital tasks for minimal per-task payments

Each of these sub-categories presents different welfare needs, different income patterns, different risk profiles, and different relationships

⁵⁰² The Code on Social Security, 2020 (Act No. 36 of 2020), Section 2(35).

⁵⁰³ Ibid., Section 2(77).

⁵⁰⁴ Ibid., Section 2(61).

with aggregator platforms. A one-size-fits-all welfare scheme is unlikely to serve all of them well, but designing differentiated schemes multiplies the administrative complexity enormously.⁵⁰⁵

C. The Income Reality

Understanding the economic reality of platform workers is essential to designing schemes that actually work. Research studies and platform worker surveys consistently reveal a picture of income volatility, low average earnings, and high work intensity.

A 2021 survey by the Centre for Sustainable Employment at Azim Premji University found that the median monthly income of delivery workers in India was approximately Rs. 12,000–15,000, with significant variation depending on city, platform, and hours worked.⁵⁰⁶ Many workers reported working ten to twelve hours daily to reach this income level. Income fluctuated significantly based on surge pricing, order volumes, platform algorithmic decisions, and seasonal factors. Few workers had any savings cushion to fall back on during periods of illness or low demand.

This income reality has direct implications for welfare scheme design. Schemes that require significant worker contributions may be unaffordable for low-income platform workers. Schemes that rely entirely on aggregator funding may be resisted by platforms protecting their margins. And schemes that depend on government funding may be underprioritized in competitive budget environments.

III. THE LEGAL FRAMEWORK: WHAT THE CODE PROMISES

A. Section 114: The Core Provision

The Code's primary provision for platform worker welfare is Section 114, which empowers

governments to formulate and notify welfare schemes:

"The Central Government shall formulate and notify, from time to time, suitable welfare schemes for unorganised workers, gig workers and platform workers on matters relating to— (a) life and disability cover; (b) health and maternity benefits; (c) old age protection; (d) education; and (e) any other benefit as may be determined by the Central Government."⁵⁰⁷

Section 114(7) addresses funding:

"Every aggregator shall contribute to the Fund at such rate, as may be notified by the Central Government, of its annual turnover of the aggregator, not exceeding one per cent. to two per cent."⁵⁰⁸

Section 113 provides for a national database of platform workers, which is intended to serve as the foundation for targeted welfare delivery.⁵⁰⁹

B. The Draft Rules

The Draft Code on Social Security (Central) Rules, 2021 provided some additional detail on implementation mechanisms. Rule 50 outlined the framework for aggregator contributions, and Rule 49 addressed the registration process for workers on the national portal. However, these Rules have not been finalized, and their draft status means that the implementation framework remains legally incomplete.

C. The Rajasthan Precedent

At the state level, the Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023 has provided the most concrete example of what implementation might look like. The Act established a mandatory registration system, a dedicated welfare board, and a welfare fund financed through per-transaction fees levied on aggregators. While still in early stages of implementation, the Rajasthan Act offers valuable lessons—both positive and

⁵⁰⁵ International Labour Organization, *World Employment and Social Outlook: The Role of Digital Labour Platforms in Transforming the World of Work* (ILO, Geneva, 2021), pp

⁵⁰⁶ Amit Basole and Rakhi Ghosh, *Earnings and Working Conditions of Platform Workers in India* (Centre for Sustainable Employment, Azim Premji University, Working Paper No. 31, 2021), pp. 12-18.

⁵⁰⁷ The Code on Social Security, 2020, Section 114(1).

⁵⁰⁸ *Ibid.*, Section 114(7).

⁵⁰⁹ *Ibid.*, Section 113(1).

cautionary—for the Central Government and other states.

IV. THE CHALLENGES: A DETAILED EXAMINATION

A. The Classification Problem: Who Exactly is a Platform Worker?

The first and perhaps most fundamental challenge in implementing welfare schemes for platform workers is the classification problem—the difficulty of determining, with legal certainty, who qualifies as a platform worker entitled to welfare benefits.

The Code's definition of 'platform worker' under Section 2(77) is deliberately broad. This breadth has advantages—it avoids premature closure of a rapidly evolving category—but it creates significant practical difficulties. Consider some edge cases that the definition does not clearly resolve:

A driver who works part-time for Uber while also working a full-time salaried job—is she a platform worker entitled to welfare benefits, and if so, do those benefits overlap with or supplement her employment benefits? A software developer in Pune who takes occasional freelance projects on Upwork while primarily employed by an IT company—does he qualify as a platform worker? A homemaker who provides occasional cooking and cleaning services through an Urban Company-style platform—what is her welfare entitlement?⁵¹⁰

These are not hypothetical edge cases. They reflect the real diversity of platform work arrangements in India today. Without clear eligibility criteria—either in the Code itself or in the rules and schemes made under it—welfare administrators will face enormous difficulties determining who is entitled to benefits, and platforms will have incentives to argue for the narrowest possible interpretation of eligibility.

The deeper problem is that the Code does not resolve the fundamental misclassification issue. Platform companies classify their workers as

independent contractors specifically to avoid employment obligations. The Code's recognition of platform workers as a distinct category does not change this classification—it simply adds a new welfare layer on top of it. But without establishing clear legal criteria for when a platform worker is so economically dependent on a platform that they should be treated as an employee, the classification problem will continue to undermine welfare implementation.

B. The Registration Challenge: Reaching Workers Who May Not Want to Be Found

Even if classification were straightforward, registering platform workers on the national database envisioned under Section 113 presents enormous practical challenges.

Platform companies have a financial interest in keeping their worker rolls fluid and difficult to enumerate. Workers who are formally registered as platform workers may worry—sometimes with justification—that registration will result in deactivation by platforms that prefer to keep their workforce anonymous and interchangeable. Workers who operate across multiple platforms may be uncertain about which platform is responsible for their registration. Workers without smartphones or reliable internet access may be unable to complete the self-registration process. And workers in rural areas or smaller cities, where Common Service Centres may be distant or unreliable, may have no practical access to registration infrastructure.⁵¹¹

The Aadhaar-based registration system, while conceptually elegant, introduces its own complications. Many platform workers, particularly those who are seasonal or who have recently migrated, have Aadhaar linked to outdated mobile numbers or addresses. Biometric authentication failures—a known problem with Aadhaar-based systems—can prevent eligible workers from completing registration. And for workers without bank

⁵¹⁰ K.D. Srivastava, *Commentaries on the Code on Social Security, 2020* (Eastern Book Company, 2021), pp. 67-89

⁵¹¹ Ministry of Labour and Employment, *Status of Implementation of Labour Codes* (Government of India, 2023).

accounts linked to their Aadhaar, the direct benefit transfer mechanism that the Code envisions for welfare delivery will not function.⁵¹²

The scale of the registration challenge should not be underestimated. Registering 7.7 million platform workers—a number projected to grow to 23.5 million—requires a registration infrastructure that does not yet exist. The government has spoken of using Common Service Centres, employer-facilitated registration, and self-registration portals. But without a dedicated, well-funded implementation drive, with active participation from platform companies, registration is likely to remain partial and skewed toward the most easily reached and least vulnerable workers.

C. The Funding Conundrum: Who Pays, How Much, and Is It Enough?

Every welfare scheme requires funding. The Code's answer to the funding question—aggregator contributions of 1-2% of annual turnover—sounds straightforward but raises a series of difficult questions that remain unresolved.⁵¹²

How is 'turnover' defined? Platform companies earn revenue in various ways—commission on transactions, subscription fees, advertising revenue, data monetization. Which of these revenue streams constitute 'turnover' for the purposes of calculating contributions? Platforms have strong incentives to argue for the narrowest possible definition, minimizing their contribution obligations. Without a precise regulatory definition, disputes over contribution calculations will be inevitable

Is 1-2% of turnover sufficient? The adequacy of the proposed contribution rate depends on the total turnover of aggregators, the number of platform workers to be covered, and the cost of the welfare benefits to be provided. No publicly available analysis has definitively established that 1-2% of aggregator turnover will generate sufficient funds to finance comprehensive

health insurance, life and disability cover, and old-age protection for millions of platform workers. Given that major platforms operate on thin margins and aggressive growth strategies, there is real concern that even maximum contributions under the Code's framework would be inadequate.

What about worker contributions? The Code does not clearly specify whether platform workers themselves should contribute to the Social Security Fund. If workers are expected to contribute, the contribution amount must be calibrated to income levels that are low and volatile—a genuinely difficult design challenge. If workers are not expected to contribute, the scheme may be seen as a pure cost on aggregators, strengthening their resistance to implementation.

What is the government's financial commitment? The Central and State Governments are expected to contribute to the Social Security Fund, but the Code specifies no minimum government contribution. In practice, government contributions to welfare schemes for informal workers have historically been erratic and often inadequate. Without a guaranteed, ring-fenced government contribution, the Fund's financial sustainability will remain uncertain.⁵¹³

The Rajasthan Model: The Rajasthan Act's approach of funding the welfare board through per-transaction fees—rather than a percentage of annual turnover—may be more practical and harder to evade through accounting maneuvers. A small, fixed fee per transaction is transparent, easy to calculate, and directly proportional to the volume of work that platform workers perform. It also creates a natural alignment between the platform's revenue and its welfare contributions.

D. The Aggregator Resistance Problem

Platform companies—the aggregators who would bear the primary financial burden of

⁵¹² The Code on Social Security, 2020, Section 114(7); Parliamentary Standing Committee on Labour, *Report on the Code on Social Security, 2020* (Thirty-First Report, Lok Sabha Secretariat, 2020), pp. 45-56

⁵¹³ 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), pp. 134-156

welfare scheme funding—have demonstrated consistent and sophisticated resistance to measures that would increase their labour costs or complicate their worker classification strategies.

This resistance takes several forms. At the lobbying level, platform companies have actively engaged with government officials and legislative processes to dilute welfare obligations, narrow definitions of coverage, and weaken enforcement mechanisms. At the legal level, platforms have used contractual language, terms of service, and corporate structure to maximize the distance between themselves and their workers. At the operational level, platforms have introduced algorithmic management systems that give workers the illusion of autonomy while maintaining effective control over their work—enabling platforms to argue that workers are independent contractors while actually directing their work in detail.²⁰

The experience of the Rajasthan Act is instructive. Several platform companies initially responded to the Act's passage with public statements of concern about its implementation implications, raising questions about the regulatory burden and the definition of covered transactions. While platforms ultimately complied with registration requirements, the episode illustrated the gap between legislative enactment and willing corporate participation.

The Code's enforcement framework—inspectors, penalties, and compliance monitoring—is not significantly more robust than that of the predecessor legislation it replaced. Without genuinely deterrent penalties for non-compliance, well-resourced platforms that are philosophically opposed to welfare obligations have limited practical incentive to comply fully and promptly.

E. The Portability Problem: Welfare That Doesn't Travel

A defining feature of platform work is mobility—workers move between platforms, between

cities, and between types of work. A delivery executive who worked for Swiggy for two years before switching to Zomato, then temporarily driving for Ola during a slow period, may have accumulated welfare entitlements across multiple platforms and multiple time periods. How are these entitlements tracked, aggregated, and made accessible to the worker?

The Code envisions a national database as the solution to this portability problem—a single registration that travels with the worker across platforms and states. But the database is not yet operational, and even when it becomes operational, the portability of welfare entitlements across platforms requires a level of inter-platform data sharing and benefit harmonization that has not been achieved.⁵¹⁴

The portability problem is particularly acute for multi-platform workers—those who work for more than one aggregator simultaneously or sequentially. If each aggregator contributes to the Social Security Fund based on the worker's engagement with that specific platform, how are contributions from multiple platforms aggregated? Who is responsible for the worker's welfare if she works for three platforms? How does the system prevent double-counting of contributions or gaps in coverage between platform engagements?²³

These are not merely technical questions—they reflect fundamental ambiguities in the Code's framework that will need to be resolved through detailed rules and possibly through amendment. Until they are resolved, portability will remain a promise rather than a reality.

F. The Enforcement Gap

A welfare scheme is only as effective as its enforcement. The Code's enforcement provisions—inspectors, penalties, compliance requirements—face several structural weaknesses that threaten to undermine even well-designed schemes.

⁵¹⁴ The Code on Social Security, 2020, Section 113; Draft Rules, 2021, Rule 49

Inspector capacity: India's labour inspectorate has historically been severely understaffed relative to the volume of establishments it is expected to monitor. The Code introduces an 'inspector-cum-facilitator' model that is supposed to shift inspectors from a policing to a facilitative role—but this model has been criticized as potentially weakening enforcement by deprioritizing punitive action against non-compliant employers.

Digital enforcement challenges: Platform companies operate through digital systems that are inherently more difficult to inspect than physical establishments. Verifying a platform's worker count, transaction volume, or contribution calculation requires access to proprietary data systems that platforms may resist sharing. Traditional inspection methods are poorly suited to the digital business models of aggregator platforms.⁵¹⁵

Penalty inadequacy: The penalties prescribed under the Code for non-compliance with welfare contribution requirements—while not trivial—may be insufficient to deter large, well-resourced platform companies for whom the cost of compliance might significantly exceed the cost of penalties. Effective deterrence requires penalties that are meaningfully larger than the benefits of non-compliance.

Cross-jurisdictional complications: Many platform companies operate across multiple states, with corporate headquarters in one state but workers deployed across the country. Determining which state's labour enforcement machinery has jurisdiction over a national platform's welfare contributions is a question the Code does not clearly resolve.

G. The Digital Divide and Technology Barriers

The Code's implementation framework is heavily dependent on digital technology—online registration portals, Aadhaar-based authentication, digital benefit transfer, and electronic compliance monitoring. This

technological orientation reflects the digital nature of platform work but creates a serious access problem.

Not all platform workers are equally comfortable with digital technology. While ride-hailing drivers and food delivery executives typically have smartphones—a requirement of their work—many use basic Android devices with limited storage and unreliable internet connectivity. The registration process, benefit claim submission, and grievance filing that the Code envisions through digital portals may be practically inaccessible to workers with limited digital literacy or unreliable connectivity.⁵¹⁶

The Aadhaar authentication system, while broadly available, has documented failure rates in biometric verification that disproportionately affect workers with physical jobs—delivery executives and construction workers whose fingerprints may be worn from physical labour, for example. Each authentication failure that prevents a worker from registering or accessing benefits represents a gap between the Code's digital vision and the physical reality of platform work.

H. The Inter-State Coordination Challenge

Labour is a concurrent subject under the Seventh Schedule of the Indian Constitution, meaning both the Central Government and State Governments have legislative competence in this area.⁵¹⁷ The Code is a Central legislation, but its implementation depends heavily on state-level action—state governments must frame their own schemes, establish their own welfare boards, and operationalize their own registration systems.

This federal structure creates coordination challenges of several kinds. States may frame schemes with different benefit levels, different contribution rates, and different eligibility criteria—creating a patchwork of protection that varies by location. Platform companies operating nationally may face inconsistent

⁵¹⁵ Vili Lehdonvirta, *Cloud Work* (Oxford University Press, 2022), pp. 89-102.

⁵¹⁶ Basole and Ghosh, *supra* note 6, pp. 22-26.

⁵¹⁷ Constitution of India, Article 246 read with Seventh Schedule, List III (Concurrent List), Entry 24.

compliance obligations across states. Workers who move between states may find that their welfare entitlements do not travel with them across state boundaries.

The relationship between Central schemes under Section 114 and state-level initiatives like the Rajasthan Act raises additional questions about legislative hierarchy and operational jurisdiction. If a platform worker in Rajasthan is covered by both the Central Code and the state Act, which scheme takes precedence? Can she claim benefits under both? Who resolves disputes about overlapping entitlements?

I. The Political Economy of Implementation

Behind every implementation challenge lies a political economy. Welfare schemes for platform workers require sustained political commitment—not just to enact legislation but to allocate budgets, staff institutions, establish systems, and enforce compliance over years and decades. This sustained commitment is difficult to maintain in an environment where platform companies have significant lobbying power, where labour ministries have limited capacity, and where platform workers—unorganized, geographically dispersed, and without formal political representation—have limited ability to demand accountability.

The experience of welfare legislation for unorganised workers more broadly in India is instructive. The Unorganised Workers' Social Security Act, 2008 was similarly progressive in intent and similarly ineffective in practice, largely because it lacked the political momentum and institutional infrastructure to move from legislation to implementation. The Code on Social Security, 2020 risks repeating this pattern unless there is a qualitative change in political commitment to implementation.

V. COMPARATIVE PERSPECTIVES: HOW OTHER JURISDICTIONS HAVE NAVIGATED THESE CHALLENGES

A. The United Kingdom: Worker Status as the Gateway

The United Kingdom's approach to platform worker welfare begins with the question of worker status. The landmark Supreme Court decision in *Uber BV v. Aslam* [2021] UKSC 5 held that Uber drivers were 'workers' under the Employment Rights Act, 1996—an intermediate category between employees and independent contractors—entitling them to minimum wage, paid holiday, and pension auto-enrollment.⁵¹⁸

The UK's approach is instructive because it resolves the classification problem first, making everything else follow. By establishing that platform workers are 'workers' with legal entitlements—not merely independent contractors with none—the UK framework creates a foundation on which welfare schemes can be built. India's Code, by contrast, recognizes platform workers as a distinct category for welfare purposes without resolving their employment classification—leaving the foundation uncertain.

B. The European Union: Presumptive Employment

The EU's proposed Directive on Improving Working Conditions in Platform Work (2024) takes an even bolder approach, establishing a rebuttable presumption of employment for platform workers. Under this framework, platform workers are presumed to be employees unless the platform can demonstrate—against specific legal criteria—that the relationship is genuinely one of self-employment. This shifts the burden of proof from workers (who must prove they are employees to access protections) to platforms (who must prove they are not employers to avoid obligations).

The presumptive employment approach directly addresses the classification problem and the aggregator resistance problem simultaneously. It makes compliance the default and non-compliance the exception requiring legal justification. For India, adopting a

⁵¹⁸ Amit Basole and Rakhi Ghosh, Earnings and Working Conditions of Platform Workers in India (Azim Premji University, Working Paper No. 31, 2021)

similar presumption—at least for platform workers who meet specific criteria of economic dependence—would transform the implementation landscape.

C. Spain: Sector-Specific Solutions

Spain's Ley Rider (Royal Decree-Law 9/2021) took a sector-specific approach, creating a legal presumption that delivery riders who provide services for delivery platforms are employees of those platforms.³⁸ This targeted approach—focusing on one of the most visible and vulnerable categories of platform workers—enabled Spain to make rapid progress in one sector while leaving broader platform worker questions for future legislation.

India's Code takes the opposite approach—a comprehensive framework covering all platform workers—which has the advantage of breadth but the disadvantage of complexity. Spain's experience suggests that sector-specific schemes, at least as an interim measure, might be more rapidly implementable than comprehensive national frameworks.

D. California: The Limits of Ballot Box Labour Policy

California's experience with Assembly Bill 5 (AB5) and Proposition 22 is a cautionary tale about the political economy of platform worker welfare. AB5, enacted in 2019, codified the 'ABC test' for worker classification and would have classified most platform workers as employees entitled to full benefits. Platform companies—Uber, Lyft, DoorDash, and others—responded with a \$200 million campaign to pass Proposition 22, a ballot initiative that exempted them from AB5 and substituted a weaker benefits framework.

The California episode demonstrates the enormous resources that platform companies are willing to deploy to resist welfare obligations, and the danger of leaving worker welfare to legislative or political processes that well-funded corporate interests can influence. India's implementation challenge includes this political economy dimension, and designing

implementation frameworks that are difficult to dilute or circumvent is as important as designing frameworks that are legally sound.

VI. WHAT IMPLEMENTATION WOULD ACTUALLY REQUIRE: A REALISTIC ASSESSMENT

Having examined the challenges, it is worth being specific about what genuine implementation of welfare schemes for platform workers would require. This is not a counsel of perfection—it is an attempt to map the distance between where India is and where it needs to be.

A functioning national database requires: a well-funded technology platform; a proactive registration drive reaching workers through multiple channels (digital, physical, through platform companies, through civil society organizations); simplified registration requirements accessible to workers with limited digital literacy; and ongoing maintenance and updating as workers join and leave platforms.⁵¹⁹

Finalized and notified schemes under Section 114 require: actuarial analysis of the cost of proposed benefits; negotiation with platform companies about contribution rates; determination of worker contribution requirements; specification of benefit amounts and eligibility criteria; establishment of claims processing systems; and political commitment to completing this complex process against the resistance of well-resourced platform companies.

Effective enforcement requires: a labour inspectorate with the technical capacity to audit digital platform companies; penalty structures that genuinely deter non-compliance; accessible grievance redressal mechanisms for individual workers; and cross-jurisdictional coordination mechanisms for platforms operating across state boundaries.

Genuine portability requires: inter-platform data sharing protocols; standardized contribution and benefit calculations; a clearing mechanism

⁵¹⁹ . Santosh Mehrotra and Jajati Keshari Parida, India's Employment Crisis (2019) 54(16) Economic and Political Weekly 43

that aggregates contributions from multiple platforms for individual workers; and inter-state coordination that ensures benefits travel with workers across state boundaries.

None of this is impossible. But none of it is simple, and none of it will happen without sustained political commitment, adequate administrative capacity, and a willingness to engage seriously with the resistance of platform companies that have significant financial interests in the status quo.

VII. RECOMMENDATIONS

The analysis in this article suggests a set of reforms that would meaningfully address the implementation challenges identified above.

First, the Central Government should immediately finalize and notify the Central Rules under the Code. Every day of delay is a day that platform workers remain without protection. The Rules should include specific timelines for subsequent implementation steps—database operationalization, scheme notification, welfare board constitution—with accountability mechanisms for missed deadlines.

Second, the Code should be amended to introduce a rebuttable presumption of platform worker status for workers who meet specific criteria of economic dependence on a single platform. This would resolve the classification problem and bring India's framework closer to international best practices.

Third, the funding framework should be redesigned along the lines of the Rajasthan model, with per-transaction fees replacing or supplementing the percentage-of-turnover approach. Per-transaction fees are more transparent, harder to manipulate, and more directly proportional to the volume of work performed.

Fourth, a National Platform Worker Welfare Board should be established as a dedicated institution with regulatory, supervisory, and adjudicatory powers—modeled on the ESIC board but specifically designed for the platform economy. A dedicated institution would ensure

sustained attention and accountability in a way that a general welfare fund administered by an already-stretched Ministry of Labour cannot.

Fifth, the enforcement framework must be genuinely strengthened—not through more inspectors using traditional methods but through mandatory digital disclosure requirements that compel platforms to share data on worker numbers, transaction volumes, and contribution calculations with regulatory authorities. Digital platforms that resist digital transparency are not genuinely committed to compliance.

Sixth, a Portable Welfare Account system should be established, giving every registered platform worker a unique welfare account into which contributions from all platforms that engage the worker are pooled, and from which benefits can be drawn regardless of the worker's current platform affiliation or location.

Seventh, the government should engage platform companies directly in the scheme design process—not to allow them to veto provisions they dislike but to identify practical implementation challenges and build the minimum level of corporate cooperation that is necessary for any scheme to function. Well-designed schemes with genuine corporate buy-in are more likely to be implemented effectively than schemes imposed without consultation.

Eighth, civil society organizations working with platform workers—worker collectives, trade unions organizing in the gig economy, and NGOs providing legal assistance—should be formally incorporated into the governance structure of welfare boards. These organizations have the trust of workers and the knowledge of ground realities that government agencies typically lack.

VIII. CONCLUSION

The challenge of implementing welfare schemes for platform workers is not primarily a technical challenge—it is a test of political will, institutional capacity, and the seriousness with which Indian policymakers regard the welfare of

a rapidly growing and deeply vulnerable segment of the workforce.

The Code on Social Security, 2020 got the most important thing right: it recognized that platform workers exist, that they are vulnerable, and that they deserve social protection. That recognition, hard-won against the resistance of platform companies and the inertia of a regulatory system designed for a different era of work, is genuinely valuable. It should not be minimized.

But recognition without implementation is consolation without consequence. The platform worker who falls from his motorcycle delivering food at midnight needs health insurance that actually pays his hospital bills, not a statutory definition that acknowledges his existence. The delivery executive who is too old or too injured to continue working needs a pension that sustains her, not a legislative provision that empowers the government to notify a scheme that has not been notified in four years.

India's platform workers are not waiting for perfection. They are waiting for something—a functional, funded, accessible welfare scheme that gives them a measure of the security that their economic contribution entitles them to. Delivering that something is the urgent and overdue task before Indian policymakers.

The Code opened the door. It is time, well past time, to walk through it.

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