



INDIAN FEDERATION OF APP-BASED TRANSPORT WORKERS

Suggestions to the Draft Rules for the Code on Social Security, 2020, pertaining to Platform and Gig Workers

To,
Shri Mansukh Mandaviya ji,
The Honorable Minister of Labour and Employment,
Government of India.

The Secretary,
Ministry of Labour and Employment,
Government of India.

Shri Supriya Ranjan Datta ji,
Deputy Secretary, Ministry of Labour and Employment,
Room No.318, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.

Subject: Suggestions to the Draft Rules of The Code on Social Security, 2020

Respected Sir/Ma'am,

We, the undersigned, write to you on behalf of the gig and platform workers of India. This initiative is being supported by Indian Federation of App-based Transport Workers (IFAT), labour experts, activists, NGOs, CSOs and other unions. Shaik Salauddin is the Co-Founder and National General Secretary of IFAT. This letter is with regards to your request for suggestions to the draft rules for the Code on Social Security, 2020, published on 30th December, 2025.

The draft rules notified under the Code on Social Security, 2020 for gig and platform workers, are a necessary and long-awaited step towards operationalising social security for workers in platform-mediated work arrangements. The draft rules recognise the growing importance of platform work and the need to create a framework for worker registration, aggregator contributions, inclusion of worker voices in social security boards and delivery of social security benefits.

At the same time, the draft rules, as currently framed, contain certain gaps and design issues that may limit their effectiveness and lead to exclusion of workers. They place disproportionate burdens on workers, and also lack clarity on accountability, data governance, and institutional responsibility.

The following section includes specific, clause-wise inputs guided by the principles of inclusion, worker protection, and clear accountability.

We request that you conduct a stakeholder meeting with different aggregators, trade unions and government bodies to create truly inclusive and balanced rules for the Codes on Social Security, 2020.

 2-3-645/4/A/108, Prem Nagar, Amberpet, Hyderabad-500013 Telangana, India

 connectifat@outlook.com  +91-9642424799 / +91-9177624678  www.ifat.org.in

We thank you for giving us the opportunity to share our views.

Sincerely,



1. Shaik Salauddin, Co-Founder and National General Secretary, Indian Federation of App Based Transport Workers (IFAT), Founder President, Telangana Gig and Platform Workers Union, (TGPWU). Mobile No: +91-9642424799 / +91-9177624678
2. Indraneel Bannerjee, National President, Indian Federation of App based Transport Workers (IFAT), President, West Bengal Cab Operators Guild
3. Ashish Singh, Rajasthan Gig and App-based Workers Union, National Organizer, (IFAT)
4. Inayath Ali, Karnataka App based Driver Union, (IFAT)
5. Rizwan Shaikh, Maharashtra Rajya Rashtriya Kamghar Sangh, (IFAT)
6. Dhrubjyoti Debnath, Assam State Driver Union, (IFAT)
7. Kamaljeet Gill, Sarvodaya Drivers Association of Delhi, (IFAT)
8. Javed Khan, Uttar Pradesh Gig and App-based Workers Union, Lucknow, (IFAT)
9. Sumit Bharadwaj, Expert Driver Solution, NCR Delhi, (IFAT)
10. Surendra Singh, Jharkhand Pradesh Taxi Union, (IFAT)
11. Ajaykumar Gupta, President, Ahmedabad Rickshaw Chalak Ekta Union, (IFAT)
12. Sangam Tripathy, National Advisor, (IFAT)
13. Attinamoni Nagesh Kumar, Vice-president, Bharat Rashtra Trade Union (BRTU)
14. Shobhit, IT for Change
15. Alok Prasanna Kumar, Vidhi Centre for Legal Policy
16. Kishanbhai Patni, President, Navyug Auto Driver Welfare Association (IFAT)
17. Sahil Kumar, Tricity Riders Welfare Society, (IFAT)
18. Satya Oza, PhD Candidate
19. Akhil Surya, Social Accountability Forum for Action and Research (SAFAR)
20. Sarayu Natarajan, Ritvik Gupta, Aditi Shah, Sreya Nair and Nighat, Aapti Institute
21. Basudev Barman, Independent Researcher
22. Anup Srivastava, Labour Activist
23. Balaji Parthasarathy and Fairwork India

Suggestions by the Indian Federation of App-based Transport Workers (IFAT) to the Draft Rules for the Code on Social Security, 2020

Clause Number	Clause Details in the Draft Rules	Suggestions	Rationale
Chapter 2. C. National Social Security Board			
9. (2) (d)	The Central Government shall nominate five members under clause (b) of sub-section (6) of section 114 from amongst the gig workers and platform workers, on rotation basis, representing the different types of gig workers and platform workers.	<p>The Central Government shall nominate five members under clause (b) of sub-section (6) of section 114 from amongst the gig workers and platform workers, on rotation basis, representing the different types of gig workers and platform workers.</p> <p>The Central Government's nominations shall make efforts to ensure that proportional and adequate representation is given to location-based and online, remote crowdwork-based platform workers members.</p>	India's platform and gig economy is not only driven by location-based workers, but also by various remote and online workers. They will also require space on the Board to be able to discuss sector-specific issues and schemes.
Chapter 2. D. General			

<p>12. (4) (c)</p>	<p>No business shall be transacted at any meeting of Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof unless a quorum of –</p> <p>(c) ten members in case of National Social Security Board for Unorganised Workers and six members in case of National Social Security Board for Gig Workers and Platform Workers; or</p>	<p>No business shall be transacted at any meeting of Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof unless a quorum of –</p> <p>(c) ten members in case of National Social Security Board for Unorganised Workers and eight members in case of National Social Security Board for Gig Workers and Platform Workers (at least half of these must be gig workers or platform workers); or</p>	<p>The quorum for gig and platform workers' Board which is present, should at least be majority in number. Thus, given that there are approximately 16 members in the National Social Security Board for Gig Workers and Platform Workers, at least eight members should be present.</p> <p>The quorum must ensure that a substantial number of gig worker representatives are in the room.</p> <p>This comment can also be incorporated into 9. (2) (f), which also discusses quorum.</p>
<p>12.(7)(a)</p>	<p>The minutes of each meeting showing inter-alia the names of the members present there, shall be forwarded to each trustee or member of the Central Board or the Corporation or the National Social Security Board or any committee thereof, as the case may be, and to the Central Government and in the case of the State Building Workers' Welfare Board, the minutes</p>	<p>The minutes of each meeting showing inter-alia the names of the members present there, shall be forwarded to each trustee or member of the Central Board or the Corporation or the National Social Security Board or any committee thereof, as the case may be, and to the Central Government and in the case of the State Building Workers' Welfare Board, the minutes shall be forwarded to each</p>	<p>This is to make the decisions more accessible and transparent to representatives of gig and platform workers from the different states of India.</p>

	<p>shall be forwarded to each member or any committee thereof, as the case may be, and to the State Government concerned, as soon as possible and in any case not later than four weeks after the meeting.</p>	<p>member or any committee thereof, as the case may be, and to the State Government concerned, as soon as possible and in any case not later than four weeks after the meeting.</p> <p>The final minutes of the meeting, which is to be circulated, will be in English, Hindi, and if possible, the local languages of each member present.</p>	
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Chapter VIII: Social Security for Unorganised Workers, Gig Workers or Platform Workers

<p>49. (2) (b)</p>	<p>On commencement of these rules, every aggregator shall share the details of gig workers or platform workers who are engaged with such aggregator on the designated Portal of the Central Government for generation of a Universal Account Number or any other such unique number, if such worker is not already in possession of such number.</p>	<p>On commencement of these rules, every aggregator shall share the details of gig workers or platform workers who are engaged with such aggregator on the designated Portal of the Central Government for generation of a Universal Account Number or any other such unique number, if such worker is not already in possession of such number.</p> <p>The workers' details shared will consist of the following:</p>	<p>Some basic standards for information-sharing will be necessary to run the portals and databases.</p> <p>Should the government develop services and eligibility criteria for different forms of gig and platform work, they will need to know something about the tasks workers have been completing.</p> <p>For time-based eligibility, some information on joining, leaving, and working with aggregators will be necessary as well.</p> <p>The list of details (name, UAN generated, etc) is only tentative. Such a list needs to be developed through multistakeholder consultation that involves workers, labour organizations, civil society, and legal experts.</p>
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<p>49. (2) (e)</p>	<p>In order to be eligible for any benefit under any scheme framed under the Code for gig workers or platform workers, the Central Government may notify specific conditions for eligibility through general or special order, in addition to registration on the designated Portal of the Central Government:</p> <p>Provided that such eligible worker has been engaged as gig worker or platform worker for not less than ninety days with an aggregator, or in the</p>	<p>In order to be eligible for any benefit under any scheme framed under the Code for gig workers or platform workers, the Central Government may notify specific conditions for eligibility through general or special order, in addition to registration on the designated Portal of the Central Government:</p> <p>Provided that such eligible worker has been engaged as gig worker or platform worker. for not less than ninety days with an aggregator, or in the case of</p>	<ol style="list-style-type: none"> 1. Adverse events can occur at any time, not just during a gig. Workers can be attacked during night shifts, get injured due to heavy rain or others' rash driving, or fall ill due to extreme heat. Social security must support workers at all hours, and thus, no one should be disqualified from availing services based on their having an active gig or not. 2. Sudden termination and suspension are major problems, and are not always the product of an established and just process. As workers file appeals or try to get their suspensions reviewed, they should be able to retain social security.

	<p>case of multiple aggregators, not less than one hundred and twenty days, in the last financial year.</p>	<p>multiple aggregators, not less than one hundred and twenty days, in the last financial year.</p> <ol style="list-style-type: none"> 1. Social security services covering accidents, injuries, hospitalisation will not restrict eligibility based on whether they were completing a gig or not. Workers cannot be deemed ineligible on the grounds that they require help for something that did not happen while completing a gig. 2. Workers whose accounts have been suspended or terminated will retain their eligibility for social security for a time period determined by the government. 	
49. (2) (f)	<p>An eligible gig worker or a platform worker shall include all such workers engaged by the aggregator directly or through associate company or</p>	<p>An eligible gig worker or a platform worker shall include all such workers engaged by the aggregator directly or through associate company or holding</p>	<p>Bharat Taxi is an aggregator but registered under the Multi-State Cooperative Act. Its inclusion is important.</p>

	holding company or subsidiary company or limited liability partnership or through a third party	company or subsidiary company or limited liability partnership or a cooperative or through a third party or under the definition of platform work and platform workers under Section 2 (60) and (61) of the Code on Social Security, 2020.	
49. (2) (g)	For facilitating updation of particulars of registered gig workers or platform workers, every aggregator shall share electronically the details of the gig workers or platform workers engaged with such aggregator, quarterly or at such other periodicity and in such form as shall be specified on the designated Portal of the Central Government.	Add- “Every aggregator shall provide each worker a monthly statement of engagement days counted, orders/tasks performed, recorded hours/active time, earnings, incentives, penalties and deductions, and shall provide a correction mechanism with a reasoned decision within thirty days”	This is in order to gain transparency.
49. (2) (h)	In the absence of such updation, a gig worker or platform worker, may not be eligible to avail benefits of the social security schemes	In the absence of such updation, aggregators will cover the social security costs of workers who would have otherwise accessed schemes.	It is the aggregator, not the worker, who should face consequences for non-updation. Such a penalty may incentivise timely updates from aggregators. Workers need to know that their information is updated, so that they do not have to find out about eligibility

	notified under the Code and applicable on him.	<p>Or</p> <p>Remove the clause altogether.</p> <p>Aggregators will inform workers of the update of their information with the government. Workers should be able to see the dates of each round of updation completed by the aggregators they are enrolled with.</p> <p>There should be an appropriate mechanism to which workers can resort to in case they have not been registered.</p>	failures during an emergency or adverse event.
49. (2) (i)		<p>The data shared by workers and aggregators, and gathered by the government will be used for providing social security services, and for statistical research purposes, to understand the platform and gig economy's labour supply and demand.</p>	<p>The portal and platform data needs to be bound by scope on its use.</p> <p>This suggestion is tentative. A comprehensive scope should be developed through discussion with workers, labour organizations, civil society, and legal experts.</p>
50. (1) (a)	(a) The Central Government shall designate an officer or an agency, as the authority responsible to collect and	The Central Government shall form an agency that will consist of representatives from government, workers,	The current provisions do not provide clarity on the structure or accountability of the designated authority.

	expend the contributions from the aggregators.	and aggregators. The agency will be the authority responsible to collect and expend contributions from aggregators.	
50. (2)	If any aggregator fails to pay any amount of contribution payable under sub-section (4) of section 114, within such time as may be specified by the Central Government for such purpose, such aggregator shall be liable to pay interest on the amount of contribution, to be paid, at the rate of one per cent. for every month or part of a month comprised in the period from the date on which such payment was due till such amount is actually paid.	If any aggregator fails to pay any amount of contribution payable under sub-section (4) of section 114, within such time as may be specified by the Central Government for such purpose, such aggregator shall be liable to pay interest on the amount of contribution, to be paid, at the rate of one per cent. for every day in the period from the date on which such payment was due till such amount is actually paid.	Delays in payments need to be of a magnitude that spurs aggregators into action. Thus, it is important to increase the urgency of paying interest. The state can consider creating exceptions to this rule, for issues like technical problems with the reporting system.
50 (4)	Any gig worker or platform worker registered under section 113 shall cease to be eligible for the benefits of social security schemes, when he attains the age of sixty years or when he is not engaged as gig worker or platform worker, with any of	Any gig worker or platform worker registered under section 113 shall cease to be eligible for the benefits of social security schemes, when he/ she / they attains the age of sixty years or when he is not engaged as gig worker or platform worker, with any of the aggregators for a	Platform work does not have a formal retirement age, and many workers continue to engage in such work beyond sixty years due to economic necessity.

	the aggregators for a period not less than ninety days, or in case of multiple aggregators, for a period not less than one hundred and twenty days in the last financial year.	period not less than ninety days, or in case of multiple aggregators, for a period not less than one hundred and twenty days in the last financial year.	
		<p>There is an absence of provisions for women and third gender in the Chapter for Social Security for Unorganised Workers, Gig Workers or Platform Workers.</p> <p>Inclusion of social security schemes specifically catering to the unique challenges they face is essential. This could include maternity benefits, compensation for cases of harassment at the workplace (in case of Uber drivers or Urban company workers), etc.</p>	

Sincerely,

**Shaik Salauddin,
Co-Founder and National General Secretary,
Indian Federation of App Based Transport Workers (IFAT),
Founder President, Telangana Gig and Platform Workers Union, (TGPWU),
Mobile No: +91-9642424799 / +91-9177624678**