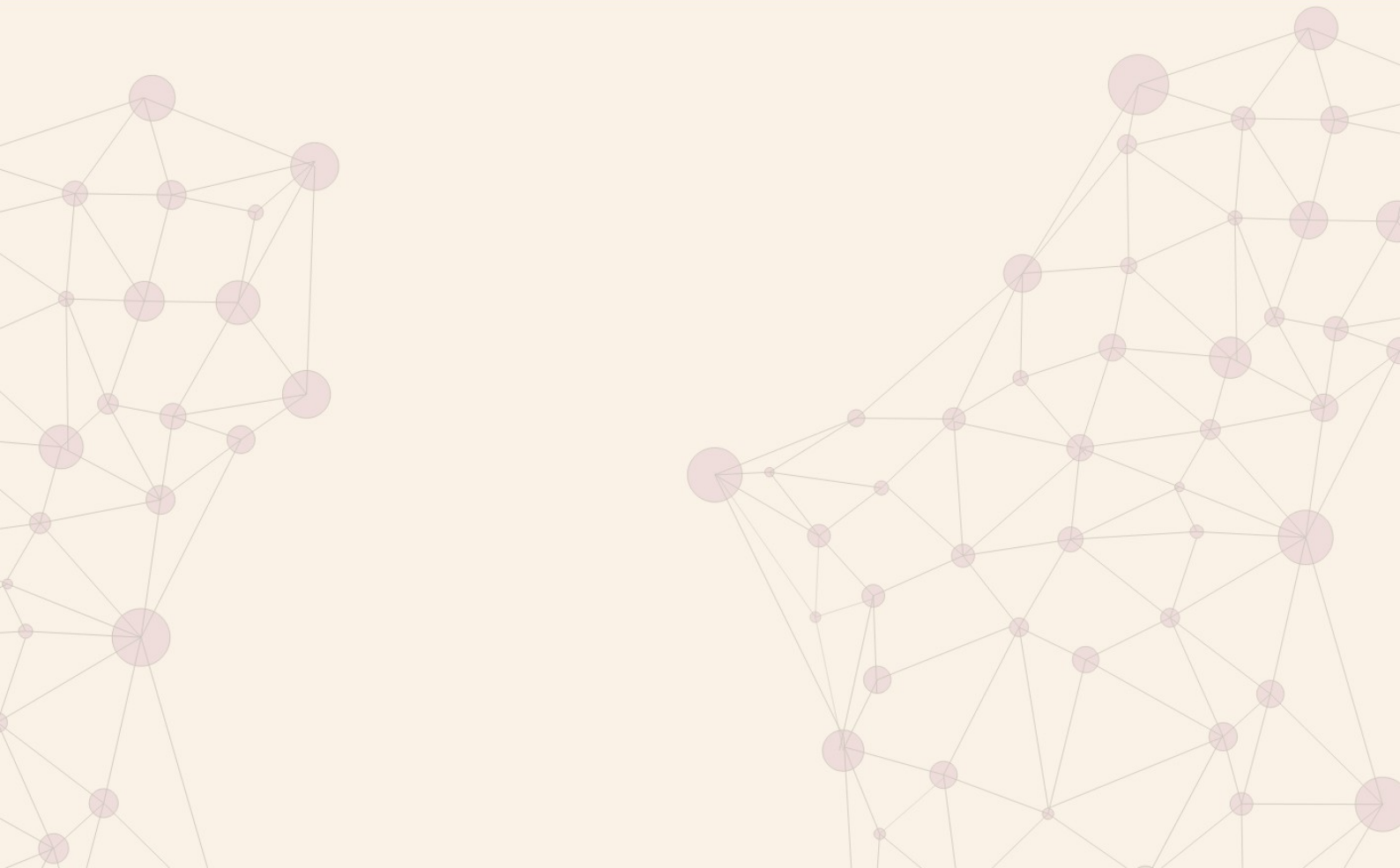# Event Report: Unlocking the Platform Dividend for the Indian Economy

Event Report: Unlocking the Platform Dividend for the Indian Economy

A report based on the Policy Roundtable held on NITI Aayog's report titled 'India's Booming Gig and Platform Economy - Perspectives and Recommendations on the Future of Work'

Contents

Background

In June 2022, NITI Aayog, the apex think tank of the Government of India, released its flagship report titled 'India's Booming Gig and Platform Economy - Perspectives and Recommendations on the Future of Work'. The report made some important observations about the current state of the gig and platform economy in India, as well as projections for its future growth. As a research and advocacy organisation constantly striving to contribute to improved conditions of work in the digital economy, this report and its implications for policy are of interest to IT for Change.

In order to engage with and deepen the debate on leveraging the platform dividend for the Indian economy, and more specifically to engage with this new report by NITI Aayog, IT for Change organised a one-day consultation workshop. This workshop was held on 25 August 2022, with support from the European Council and the Fair, Green and Global Alliance. Participants of this workshop were representatives from the NITI Aayog research team, as well as researchers and practitioners working on issues of labour, gender and data rights. A detailed list of participants is attached as Annexure 1.

IT for Change organised this workshop with the intent of kick-starting prolonged engagement with NITI Aayog on issues of gig and platform economy.

Overview of the Workshop

The workshop was structured to have several thematic presentation rounds, with an open question-answer and discussion round, after each discussion theme. This report is a distillation of the day's discussions, debates, critiques, and queries. It follows the key thematic sessions held at the workshop, each of which is followed with a few critiques of the report as well as recommendations to ensure a more inclusive and holistic view of the platform economy. This report begins by covering the introductory comments on the state of play of the platform economy by Anita Gurumurthy of IT for Change, and an overview presentation of the report from NITI Aayog's representative, Sakshi Khurana. It then delves into the following thematic deep dive sessions from the day:

- Reimagining Social Security for Platform and Gig Work

- Promise of Inclusion in Digitally-Mediated Labour Markets

- Enskillment and Enterprise Development – Realising India's Demographic Dividend

- Data Rights as the Frontier for Labour Rights

The event report also captures other key themes that emerged through the day in its final section, along with recommendations that emerged on such themes from the participants.

The workshop began with introductions and context setting by Ms. Anita Gurumurthy, Executive Director at IT for Change. She pointed out that the recent trend of platformisation of work, accelerated during the pandemic, is here to stay. In this context, thinking about the implications of such casualisation of labour is important. Commenting on the overall trends for employment in India, she quoted a statistic from a recent BCG report that India needs to create 90 million new jobs between 2023 and 2030, and they need to be non-farm jobs. On the digitalisation front, the ownership and regulation of network data and infrastructure were brought up as open questions which need careful consideration, pointing out that even the NITI Aayog report struggles with these concepts. Access to finance was also brought out as a major challenge for workers in the gig and platform economy.

Talking about what the report covers, she mentioned occupational health and safety guarantees, and encouragement of entrepreneurial innovation are some key themes. The important point that it is possible for people to have both flexibility and autonomy without having to choose, was emphasized.

Ms. Gurumurthy concluded her opening remarks with two questions that set the tone for the day's discussion - What can enable decent work and upward mobility of gig and platform workers and what is the new frontier for labour rights?

Overview of the NITI Aayog Report on Gig and Platform Economy – Presentation by Dr. Sakshi Khurana

The introductory presentation was an overview of the NITI Aayog report by Dr. Sakshi Khurana, the think tank's Senior Specialist for Skill Development, Labour and Employment, and member of the expert research team for this report. The summary is presented below:

Background

- The research team worked on the report over a period of nine months.

- Statistics experts were brought in to assist the research team with calculating estimated numbers of the gig and platform economy workforce in India.

- The objective of the report was to highlight the potential and the significance of the gig and platform economy sector and also to highlight the challenges faced by workers from minority groups, and persons with disabilities when they join this sector.

- The report introduces several relevant examples and case studies to make a point. It also has policy recommendations for the Central Government, state governments, civil society organisations, and other agencies in the skill ecosystem such as NSDC (National Skill Development Cooperation).

Methodology

- The definitions for gig work and platform work have been taken directly from the Labour Code on Social Security 2020, and the term 'platform' in the report refers to both location-based platforms and web-based platforms.

- Methodology-wise, the research team has attempted to bring an economics lens as well as a workers' rights perspective into the report.

  There were also some limitations with regard to the methodology first, one gig/platform worker often works with multiple platforms – leading to methodological difficulties with respect to collecting data on the total workforce. Second, while the report mentions that most gig and platform workers are in the age group of 18-45, she acknowledged that this might be an underestimate.

Key themes

The following are key themes from the NITI Aayog report, that Dr. Sakshi covered in her presentation

- 8% platforms of in the world are concentrated in India. There is an increase in access to technology and a rise in platforms in the country. The report takes a view that this platformisation represents the aspirations of the youth.

- 7.7 million workers are engaged in the gig and platform work economy, as per their research, which translates to 2.6% of the non-agricultural workforce, and 1.5% of the total workforce in India. It continues to expand in all sectors of work.

- Projections for the share of gig work employment were provided, by dividing all gig and platform work into three skill categories viz. low, medium, and high. Currently, 47% of the gig-platform work is in medium-skilled work, which is projected to go down to 38%. Low-skilled and high-skilled gig-platform work is projected to grow.[1]

- With regard to the major challenges faced by workers in the gig and platform economy, she mentioned:

  - The persisting digital divide which has an adverse impact on the participation of women, workers living in rural areas, and workers with disabilities, given that participation in this economy is entirely dependent on the workers' access to technology.

  - Further, this sector has a lack of job security and social security, there are concerns related to health and safety, and there is a lack of collective bargaining. The classification of these workers as partners and independent contractors has an impact on workers and their access to social security.

  - It was acknowledged that there is a need for international effort at improving the working conditions of this sector universally.

- There is also a shift in the recognition of workers in two key global jurisdictions that are quoted in the report. In the USA, California labour law has recognised gig workers as 'workers'. Similarly, in the UK, there was a legal reclassification of platform workers as workers. In India, the labour code on social security code has recognised gig workers and

---

[1]   It was pointed out during the open discussion that the definition of these terms is lacking in the report

platform workers as separate categories of workers and the e-Shram portal has attempted to register gig and platform workers with the intent to provide them with social security.

Recommendations from the report

Dr. Sakshi concluded her presentation with the following **key recommendations** highlighted in the NITI Aayog report:

- **Social security benefits:** The report identifies some viable social security benefits for gig and platform workers like paid sick leave, work accident insurance, etc. Some unique social security initiatives have been recommended to be designed in partnership with private insurance companies and the government for gig and platform workers.

- **Support for platform economy initiatives:** A Platform India initiative has been proposed for catalysing the platform economy in the country. A few suggested aspects of this initiative are simplification and handholding for platforms, funding support for platforms, and other incentives to the sector.

- **Enhancement of employability:** Skill development, as well as skill recognition, have been acknowledged as important for more employability in the platform economy. In this regard, Skill Badges and Skill Passports have been proposed to be created by platform companies and displayed on the workers' online profiles. Further, 'tranformational skilling' has been recommended to be taken up by platform companies to ensure greater scope for horizontal and vertical mobility for workers in this sector. The need for skill development programs specifically designed for women, has been recommended. Along with this, gender sensitization for everyone working in the platform company has been proposed as a requirement for platform companies. Inclusive business opportunities for persons with disabilities is also an important recommendation.

- **Provision of institutional credit:** Increased access to institutional credit for platform workers has also been recommended, for workers to be able to buy assets required to work in the gig economy. It has been further suggested that banks and other formal lenders move from asset-based lending to flow-based lending.

- **Legal recognition of gig work:** With respect to recognition of work as being gig or platform work, the nature of the contract and usage of technology, have been acknowledged as important factors.

Some key responses of the participants in response to Dr. Sakshi's presentation are presented below:

- The participants acknowledged that after about seven years of the gig and platform economy being very active in the country, a comprehensive report by a national body like NITI Aayog is a step in the right direction.

- However, concerns were raised about the **lens** from which this report is written i.e. that the proliferation of platform-based work is a positive development for the labour economy. Several participants agreed that this signifies a worrying trend of extensive precarity and labour markets, in terms of exacerbating the asymmetries of power with corporations, companies, and now platforms on the one hand and labour on the other, and especially in terms of weakening the kinds of social security and protections that reinforced worker productivity.

- Participants acknowledged that this report is an important step towards recognising the complex nature of gig and platform work and the challenges that come with it. The inclusion of a clear definition of informal work in the report was appreciated, albeit inadequacies were detailed nonetheless.

- It was identified that the established NCEUS (National Commission for Enterprises in the Unorganised Sector) definitions have not been used to differentiate between formal and informal, and organised and unorganised.

- On a related note, the report could've done a much better job of tying together concepts and definitions related to this theme of gig and platform work – starting with the fundamentals like "what counts as a platform?".

- An important concern echoed by several participants was the credibility of the statistics quoted in the report, especially the number of present and projected gig workers in the country. The methodology of how these numbers were arrived at was questioned.

Thematic Round 1: Reimagining Social Security for Platform and Gig Work

This session, along with raising some general concerns about the gig and platform economy vis-a-vis the future of work, delved into the concerns of social security for these workers in detail. Through the speakers' presentations and then in the open discussion, the following key challenges of workers' social security in the gig and platform economy emerged:

Challenges of social security provision to gig and platform workers:

- There is a lack of proper definitions of platform and gig work, beyond the basic definitions now provided by the Code on Social Security, 2020.

- **Wages:** The biggest concern at present for gig and platform workers is unpredictable wages.

    o   Deductions in wages for Social Security (SS) schemes are often opaque. Workers care more about wages than insurance because wages are so low in the first place.

    o   Fieldwork has shown a steady decline in the take-home earnings of gig workers from all sectors and this has intensified after the pandemic. Evidence points to workers being left in dire straits in the absence of any safety net because of this precarity.

- **Provision of social security:**

    o   Innovations in platform work such as a 10-min delivery, have amplified the problems of social security in the economy, with media reports sharing that workers find it harder to claim insurances.

    o   The issue of platforms being unwilling to provide social security to workers was brought up. Platforms state that gig workers sometimes work for multiple platforms, and tend to shift to another platform or another account, and thus they don't provide social security to the workers.

    o   Workers' groups are questioning the accessibility of social security schemes and benefits. There are many stakeholders, and there might end up being a number of

portals to access different benefits. The role of the state and centre was discussed in this regard.

- **Venture capitalists' control on platform companies' decisions:** The question of how decision-making in these platforms happens was discussed through the introduction of the question of venture capital (VC) investment.

  - The patterns of risk taking for VC firms and impact investing firms are very specific, and it becomes an important factor in the financial decisions that the platform company makes – unfortunately more important than decent work considerations for platform workers.

  - For example, the approach of provision of viable savings-based financial products to platform workers, as opposed to credit-based, is being observed to be more beneficial. However, this is not being done because it is not a profitable prospect for financial companies that invest in the platforms, and those that design these financial products.

  - Digital Futures Lab referred to recent research that has revealed that while most of the focus is on credit products, there are hardly any savings or insurance instruments for the gig workers. Credit products help workers access the platform by buying a car and being able to refuel. However, as was pointed out, the question is, *are platforms actually improving access to finance or just helping workers onboard onto their platforms and then putting them in a credit cycle?*

  - It was brought out that in Global North countries of the world, gig workers already own assets (such as a vehicle, for delivery and transport workers) that they decide to put to use via gig work in this "sharing economy". However, in global south countries such as India, a pattern of workers especially investing in assets to become eligible for gig work, has been observed. This is often done on credit which has given rise to an allied, exploitative credit industry that further pressures gig workers and makes them vulnerable, in the face of irregular and low earnings. Further, the platform companies often offer financial support for asset purchases only to high performers and not all employees.

Critique of the report:

After addressing some key challenges of platform workers' social security, a more specific discussion about what the NITI Aayog report discusses and excludes about social security also followed. Highlights are presented below:

- It was emphasised that unlike in the Global North, most gig workers here rely on gig work as their primary source of livelihood for which they have made long-term investments or taken long-term loans, often from the platform company itself. This asset, in this scenario, should be bought by the company but the company benefits by offloading these costs to the gig worker without recognising them as workers.

- The report failed to sufficiently critique existing social security provisions for informal workers and how one can learn lessons from that for new policies, for example, the state-level labour welfare boards and their functioning.

- The report does not focus on safeguarding wages which is a major ground of vulnerability for gig workers.

- The report refers to unique or unprecedented situations such as the Covid-19 pandemic, while addressing social security, when in fact gig workers face unpredictability and vulnerability every day. Acknowledgment that the pandemic only worsened existing precarity is missing from the report.

- The mention of childcare in the NITI report was appreciated as a progressive step. However, additional recommendations as to how this childcare will be provided are missing.

- Speaking to the point of the concept of "intermediaries" managing social security programs, participants noted that more specific recommendations are required with respect to the financing of social support, and dealing with problems of welfare measures, such as registration, identity proofs, and intermediaries might complicate this.

- The inadequacy of the new Code on Social Security was discussed, especially in how it is vague in indicating how this social security will be provided to gig and platform workers, and how the financial resources for it will be raised.

Recommendations for the provision of social security to gig and platform workers:

In light of these challenges and also the gaps in the report, participants put forward specific recommendations about providing social security to gig and platform workers, stemming from their own research and practice:

Stakeholders Accountable for Provision of social security

- Social security provision needs to be approached from a rights-based perspective and not as a privilege or a special allowance, provided at the mercy of the platform companies.

- The language of liability for the platform companies is very important as it is not only the responsibility of the state to provide social security to platform work. This needs to reflect in how this report and also policies are written.

- Participants cautioned that the ultimate aim should not be to move towards complete dependence on only the government for social security. The importance of placing this responsibility on employers/ platforms was emphasised, noting that gradually the entire economy is becoming gigified.

- This was further emphasised with anecdotes, where platform companies are already justifying their approach to platform workers' rights by claiming they are not "as bad as" another company with worse working conditions than them. This race to the bottom, so to speak, cannot be encouraged.

- While the code on social security is a good first step towards social security for gig workers, the design and implementation of the schemes need more attention.

- Simply relying on the social security code is not enough and a more holistic social protection approach needs to be applied instead of vague mentions of piecemeal schemes.

- There is evidence to show that platforms that offer full employment to workers, ensure that workers remain with that platform; there is greater loyalty. Research on these models must be encouraged.

- The importance of unionisation, to demand social security and other aspects of decent work, was emphasised.

Elements and design of social security schemes

- The idea of customised social security solutions for gig work, was discussed as being a possible viable option.

- Participants cautioned against heavy reliance on contributory schemes pointing out the dent it would make on already low and non-standard wages of platform workers. Instead, social security schemes should be financed by the government and the platform companies.

- Retirement and pension schemes are a good first step but it is important to remember that many workers leave the platforms after a short period of work. So, thinking about retirement rather than minimum wages is a bit like jumping the gun.

- Protection and stabilisation of wages is the most important step, all other welfare and benefits come later.

- Regarding insurance schemes, speakers cautioned that having a fixed cut from their income does not make sense as it may add to their vulnerability. It is very tough to get a realistic idea of a platform workers' monthly/weekly income due to variability in work volume.

- While it is good to draw on global best practices for insurance, it is important to see how they impacted workers over time and how that can work for us in India, if at all. In case of accident or injury compensation schemes, the amounts of compensation and the number of days and the work for which compensation is provided should correspond with the existing Workmen Compensation Act. There was consensus around overall reconciliation of gig and platform workers' rights with the country's labour law.

Platform workers' data

- Regarding the recent mass data collection exercise for informal workers' social security, via the e-Shram portal - instead of asking workers to bear the complete onus/burden of registering for social security and establishing their worker status as the recently

concluded e-Shram process has done, a single window data registry of workers created through mandatory data sharing obligations of worker records by platform companies may be more effective. The EU Directive on platform work also suggests the same.

Thematic Round 2: Promise of Inclusion in Digitally-Mediated Labour Markets

This session brought out the vulnerabilities of various social groups that work in the digital economy, emphasising on the intersectionalities and their implications. The session explored what inclusion currently looks like in this economy, and the gaps and approaches needed to make it accessible to vulnerable and marginalised groups.

Through the speakers' presentations and then in the open discussion, the following key challenges of inclusion in the gig and platform economy, emerged:

Challenges of Inclusivity in Digitally Mediated Labour Markets

Addressing disability within the platform work context

- Notably, while India recognises 21 disabilities, there are many more disabilities that are not recognised and accordingly don't come into focus. Even for those that are identified, there are no clear guidelines regarding access and workplace policies.

- Coming to gig and platform-based work, the access to work on location-based platforms is limited only to those persons with disability who are mobile. Even this access gets further narrowed because of unequal access to resources.

- It was identified that accessibility starts with the ability to access the hiring process and goes on to being able to log onto the platform, to being able to do the work itself, as well as accessing the training for that work.

- It is important to note that often, while the worker with a disability may be perfectly capable of doing the work, the hiring process is made inaccessible. Platforms, by being mindful of these easily fixable, smaller issues can ensure better inclusivity in the workforce.

- While access for workers with physical disabilities is often enabled in skill development programs now, such programs still remain inaccessible for workers with sensory disabilities due to a lack of facilities.

<u>Engagement of socially excluded and marginal groups in the workplace</u>

- History of occupation impacts how work will take shape on the platform. There is a deep entrenchment of exploitation on apps on grounds of caste, class, and gender.

- A specific example of salon work was introduced, where a participant mentioned that decades of workers' movements by hairdressers, who have been looked down upon because of the caste to which hairdressers in India traditionally belong, has led to a shift towards recognition of their dignity and allocation of a separate place of work for them. However, with app-based work gaining traction, hairdressers are now again being pushed to work out of customers' homes, which is not preferred by many of these workers. This is important from the perspective of recognising that models of work cannot be copied and pasted globally without accounting for the existing politics of a country's labour economy.

- Speakers also brought up 'proxy variables' that lead to discrimination in more subtle ways, for example, working hours impacting the participation of women in the workforce.

- The problem with machine readability is also that participation of marginalised, non-tech savvy communities gets erased which is a problem that needs to be solved.

<u>Gendered differences in platform use</u>

- Participants referred to research that reveals that men use on-demand platforms to access gig work, while women use agencies. Registering on on-demand platforms is difficult due to digital literacy, also, there are high indirect and direct costs of micro entrepreneurship platforms. The visibility and promotion costs of small enterprises are very high.

- Research reveals immense interest and motivation of these women to self-skill and upgrade their abilities to be able to get better gigs and they are already at their level spending a lot of money and resources to make sure they stay updated on their skills. Steps need to be taken to incentivise platform companies to invest in such skilling opportunities as the companies are definitely benefiting from it.

- Microwork on crowdwork platforms acts as a meaningful stepping stone for women workers with lower levels of literacy to gain experience and skills, to then enter a more formal workforce. However, the other fact also remains that highly educated women are often forced to sign up on crowdwork platforms for low-paying gigs due to the unavailability of better opportunities.

Critique of the report

- Participants noted the concern with defining "inclusion", as it automatically comes with the risk of becoming exclusionary. So, words and phrases like "marginalised groups" and "inclusion" need to be handled more carefully in this report.

- Platform work in this report has been characterised as being "flexible work", for supplemental income generation – however, for persons with disability, mobility between platforms is limited because they may not know if another platform is accessible. Thus, there is a lack of choice and they tend to remain on one platform. This makes platform work less flexible, and a primary source of income for such workers, contrary to how the report characterises it.

- One of the fundamental narratives that runs as a theme across the NITI Aayog report is that the gig economy is a positive and easy way for women workers to enter and stay in the workforce, possibly because of the flexibility this work provides. This was also questioned. The work is not in fact so flexible and does not guarantee meaningful inclusion of women workers. Participants also highlighted that the benefits of this flexible work for women workers are limited to web-based platforms where women are able to sign up and work during odd hours; location-based platforms are not yet inclusive of women workers.

- Speakers cautioned against enabling "pink-washing" of the gig economy in the name of gender inclusion. Under the facade of making gig and platform work more inclusive of women, there exists scope to exploit women workers. Women are still paid lesser and given lesser entitlements across sectors. For example, single women and widowed women are often hired by platforms at much lesser wages.

- The clubbing of women workers and people with disabilities in the same category, was flagged as being problematic.

Recommendations for enabling inclusivity in the gig and platform economy

In light of these challenges and also the gaps in the report, participants put forward specific recommendations about making the gig and platform economy more inclusive:

- Accounting for the variety of physical and social locations in which gig and platform workers (and also other informal workers) work in e.g. from the client's home, in a public place, on the go, etc, is important while making policy and also designing skills programs.

- The state as well as platform companies should involve workers' groups while devising codes and contracts of work. Inclusivity begins at the stage of policy formation.

- Platform design should take into consideration the dimensions of gender, class and caste. The workspace is also an important dimension – e.g. home-based workers, and workers working in public spaces.

- The need for keeping persons with disability in mind while designing leave policies and insurance policies, was emphasized.

- For platform work that is accessible and doable for workers with disability, the hiring processes should also be made accessible. Adopting a few simple accessibility software and a lens of inclusion can go a long way in onboarding workers with disabilities in the gig and platform economy.

- Platform design should also think about accessibility and inclusivity for a variety of workers – what issues related to workers' identity come up while registering and being viewed on the app, how do platforms approach tipping, and access of workers with different levels of literacy.

- There is a need for regional language support and grievance redressal channels on platform apps.

- For women workers who are gradually entering the digital economy, mentorship and guidance has to be continuous and consistent as technology changes very quickly and the shift requires a lot of quick adaptation which puts women workers at the risk of losing out on work opportunities.

Thematic Round 3: Enskillment and Enterprise Development – Realising India's Demographic Dividend

This session engaged with the question of 'skill' in the digital economy. The discussion covered a wide range of issues, starting with acknowledging that skill cannot be looked at in isolation, without considering the national educational landscape. Participants also noted a somewhat degradation of the value of education compared to the traditional labour sector – as the gig economy does not place educational barriers for entry as long as workers pick up the specific skill required for the work. A key question considered was whether platforms are investing in building these skills that workers need, to be able to thrive on these platforms.

Key challenges of enskillment of workers in the gig and platform economy

- It was noted that India's labour market is at present extremely supply-driven, with a population of 370 million between the ages of 15 and 29, which is higher than that of most other industrialised countries of the world. This has meant that there is a saturation of labour in the low-paying gig economy which forebodes a larger crisis.

- It is difficult to discuss skilling strategies in a vacuum solely in the context of platforms. Platform based work is only one part of the job story in India, and they do not operate in a vacuum, they operate and exist in tandem with many other pieces of our labour economy and education systems, which are key factors in relation to skilling.

- The importance of looking at 'skill' as being of value in and of itself, which enables choices for workers (as opposed to being tied very specifically to a worker's current job), was elucidated.

- Mandated requirements by platforms for workers to attend training workshops without compensation, were criticised. For example, beauty workers working with salon services apps attend uncompensated training sessions for 2 weeks. These trainings become compulsory because work opportunities are linked to their attendance, but it leads to loss of wages which is not compensated.

- Some platforms that are investing in skilling programs are only doing it for higher-rated employees. However, as these ratings are arbitrary in the first place, it leads to the loss of

this training and skilling opportunity for many workers who don't "make the cut", so to speak.

Critique of the report

- There are two key questions that emerge from this report. First, there is a gap in the understanding of 'skill' in this report. While low, medium and high skill levels have been mentioned in the report, they have not been defined.[2] The second question is what kind of skills need to be imparted to workers in this economy, as this is not clear from the report.

- The connection between the lack of adequate education levels among the country's youth, and the availability of surplus labour to perform gig work at very low wages, was underlined, through statistics - there are 371 million young people between the ages of 15 to 29, 47% of which do not have an education beyond 8th standard. This directly tackles the idea of gig work being the "preferred form of work" among the workforce (as characterised by the report), rather than the only option for the unemployed youth. This was discussed in juxtaposition with the fact that most forms of gig work today, especially location based gig work does not demand a very high level of educational qualification.

Recommendations for enskillment in the gig and platform economy

In light of the above discussion, some specific recommendations regarding the skilling of workers, in the gig and platform economy as well as in the labour sector as a whole, were discussed:

Motive and Design of Skills Trainings

- The important question of "what is considered a skill" needs nuanced addressing. Investing in the education infrastructure, and not just stop-gap skill development programs for adults, was identified as being crucial to skill development as education provides universally applicable analytical skills, reasoning, functional literacy, and functional numeracy, and communication.

---

2   The report gives statistics about the projected percentage increase in gig work jobs in low, high and medium skill level jobs, however without a definition for these categories, these projections cannot be used for devising specific skill development strategies.

- The approach of keeping the labour economy human-centric rather than simply productivity centric, was suggested as being crucial.

- Instead of tinkering at the edges i.e. looking at a program-wise approach, skilling policies can be more ambitious and target core policies such as the National Education Policy which includes discussions on vocational skills, and the national curriculum framework that is being developed.

- If one speaks of how having "digital skills" is important to do well on platforms, the overall education and literacy levels the worker received at school cannot be ignored, which has to be accounted for in a long-term skilling strategy.

- On a related note, skilling solutions for someone who has only been able to graduate 8th grade will look very different from someone who has graduated college, and this heterogeneous nature of labour in the platform economy needs to be acknowledged.

- It was highlighted that legitimising these skills (acquired by gig workers) and providing career progression opportunities accordingly, is an important challenge that we must work to solve - the discussion must go beyond making skill badges and skill certificates as suggested in the NITI Aayog report.

- Participants strongly cautioned against directly applying models that have been successful in the UK, Austria, Switzerland, Germany, and the US to inform our systems in India. They explained that India's labour market is much more heterogenous, these other countries do not have a large informal sector as India does. More meaningful learning can happen by looking at models from countries that have some contextual similarities to India, two such examples being Indonesia and Uruguay.

Accessibility of Skills Trainings

- Speaking of inclusivity in skills training, given how low and vulnerable the income of gig and platform workers is, upskilling programs should not lead to a loss of wages for these workers.

- On a related note, government agencies must work towards strong regulation, not just directly targeting skill development but also addressing the provision of social security to

these workers, as that can enable workers to take up skilling so that they are not left to "fend for themselves".

- The skills programs should be targeted at not just the technical skill level of the work but also at how to tackle social dynamics that result from workers coming from different genders, castes, and levels of education. This intersects with the discussion on inclusivity in the previous section.

- Platforms should not link the app rating of a worker with the skilling opportunity they receive.

Thematic Round 4: Data Rights as the Frontier for Labour Rights

The concluding session of the day dealt with very specific questions of data protection, data rights, and various considerations of the digital space on which the gig and platform economy thrives. These aspects make the digital economy a little different from the traditional unorganised sector, and therefore require dedicated discussions and fleshing out of specifics.

Key challenges of data rights for gig and platform workers

Data protection

- A key issue that was introduced was the emphasis on monetisation of data as the key revenue stream for platform companies. The data of workers and consumers aggregated by platform companies, not only directly contributes to the platform's own business, but is sold by the platforms to several third-party companies for the creation of other products or to generate network effects among other platforms coming in. This creates additional income for the company, but no share of this income goes to the producers or generators of this data i.e. the workers.

- Additionally, along with being deprived of economic gains, workers are also placed in a vulnerable position in the absence of data regulations and policies.

- Platform workers face challenges of data protection and privacy, and women become especially vulnerable to these breaches.

Algorithmic control

- Several challenges of digital work were identified. The first key concern is that of algorithmic control being the new form of managerial control, or in other words, "bots are becoming managers".

- The techniques of direction, manipulation, rewards, penalties, evaluation, and disciplining has all been relegated to the algorithm and are intrinsic to data-driven platform work.

- The role of data and algorithms in recruitment, performance appraisal, and everything in between hiring and firing has become the order of the day, in every major company, with evidence suggesting that the adoption of such algorithmic modalities increases in proportion with firm size.

- Ratings received from customers (often arbitrary) on the basis of one-time service, along with other parameters such as the number of gigs taken up versus those rejected and time taken to complete each gig, are very closely monitored by algorithms to make crucial decisions about the gig workers' income, e.g. the bonus they will receive, the quality of future gigs, the number of gigs, to name a few.

- This has heavily reduced the scope of "human interaction" for platform based gig workers. This means very little window for grievance redressal and raising complaints about faulty decisions, and completely opaque management processes.

Critique of the report:

With respect to these challenges laid out, the participants went on to discuss the extent to which the report has addressed these concerns.

- A fundamental query raised at the beginning of the discussion was "why does platform work have to be gigifed?", which essentially questioned the need for looking at platform work as gig work necessarily – evident from the almost interchangeable usage of the terms "platform work" and "gig work" in the NITI Aayog report.

- Participants suggested that platform-based work does not necessarily have to be precarious, and must be decoupled from gig-based, piecemeal work.

- Participants noted that while issues of cybersecurity, privacy, and data protection have been mentioned in the report, it does not engage with these issues effectively in terms of

creating rules to tackle the issue, especially in light of concerns of algorithmic management, which is also discussed in the NITI Aayog report.

Recommendations for data rights of workers in the gig and platform economy

In light of the above critique and ensuing discussion, the following recommendations were given.

- Recognising worker data rights - Provision of data rights to platform workers was a common recommendation from all participants, and specific data rights were identified through the course of the discussion.

- The Rights to Access Work-Related Data - This type of data sharing increases the accountability of the platform company towards the worker. This is also a demand that gig workers have been consistently making in recent strikes. The types of data that are especially beneficial for workers to access include:

  o Data related to wage and incentives calculation

  o Joining, retention, and attrition data, i.e., how many new workers join and stay at the job periodically. This can help aggregate the overall quantity and quality of jobs being created.

  o Sharing data regarding grievance redressal of workers' issues by platform companies is also crucial. Currently, workers don't have any legal means of asking for data that can be crucial to addressing an issue at work.

- Right to Data Portability - In designing social security schemes, flux in employment arrangements (workers moving between platforms) needs to be accounted for. This means that **data portability** for workers becomes extremely important to ensure they do not lose their performance records, other work data, and associated social security guarantees, each time they change a particular gig work arrangement.

- However, the demand for data portability included an attached caveat that data about a worker's ratings on one app, when shared across platforms, should not be used in lieu of a performance review, acknowledging the arbitrary calculation of such ratings.

- Right to Explanation - Another important data right that platform workers should be entitled to is the **Right to Explanation** of decisions taken by platform companies, in the spirit of accountability in employer decision-making supported by algorithms.[33] Workers need the right to inspect algorithms for bias and discrimination in parameters.

- A range of rights-based considerations for workers is implicated in the creation of databases by public agencies, like the e-Shram portal, viz:

    o   A fine balance between privacy and transparency of welfare claims;

    o   Rights of access, audit, verification, erasure, and correction in relation to datasets;

    o   Personal data protection guarantees /prior and informed consent in data collection; and safeguards against profiling in the processing of such datasets.

Workers' data protection regulation

- In addition to the Account Aggregator model envisioned under the Data Empowerment Protection Architecture, regulation for algorithmic accountability should be introduced. This can protect platform workers and other vulnerable segments of the population from data harms in downstream use, ringfencing fintech against predatory lending practices.

- However, participants underlined the need to identify the types of data needs to be regulated - personal data vs non-personal data, data collected during work hours/at the workplace vs all data of workers, what can be aggregated and what should be anonymised.

- Another very important related issue is about who regulates these types of data and algorithm.

- As India is in the process of creating a **new personal data protection regulation framework**, we need to think about accountability in downstream, secondary uses of

---

3   The Motor Vehicle Aggregator Guidelines of 2020 are a good first step towards demanding transparency of algorithm from transport platforms, albeit the implementation of these guidelines remains slow and it is yet to become the norm in other sectors of platform work.

aggregate worker data in databases such as e-Shram to prevent unaccountable, data extractivist, corporate capture of the value of such data.

Alternative models of platforms

- Data rights that allow for data sharing will also enable workers to build their own platforms which can provide decent work for them. To build these alternatives, workers need data portability and interoperability across platforms. India's policy framework, due to a rich history of cooperatives, has enough precedent to create mechanisms for such data sharing.

- Some examples of policy frameworks that can be used as precedents to develop data sharing norms to enable platform cooperatives, include the recommendations of the expert committee on non-personal data, creation of account aggregator frameworks, and the creation of various other stacks that are in different stages of development.

- In order to let these alternative models of platforms to develop and thrive, it's important that the government at this stage, does not define what a platform is so rigidly, or support a very specific type of platform-based work (referring to the NITI Aayog report). Platform can be a cooperative platform, a social enterprise, it can be publicly or community owned and operated and this broad nature of definition should be acknowledged in policy making.

Discussion and Recommendations on Other Key Themes

The workshop also provided an opportunity to ponder questions outside of the decided agenda above. The feedback and other discussion points on the report are captured below:

The gig work paradigm

- The principle of gig work being a solution to the unemployment problem was flagged as being flawed. "What gig work does is break up a job into smaller tasks and distribute it among more people".

- The report distinguishes gig work from conventional work in the following way.

- o *"Gig workers are comparatively young, working for fewer hours a day on gigwork, preferring a flexible work schedule, typically with low to middle level of education. Income through gig work is not their primary source of income and they are often holding another regular job. They value transparent, timely and assured payments while non-wage are not attractive to such workers."* While this may be true for some gig workers, evidence suggests that for the majority of gig workers in the Indian economy, the "gig" is the only form of job, with many transitioning in and out of platform-mediated and traditional gigs on and off, as can be seen in the case of service workers, drivers, delivery workers and so on.

- It was emphasised that *"it's very important to ensure that we do not platformise and gigify the rest of the economy"* presenting a strong stance that the way to formalise labour in this country is not through platformisation. However, technology itself can be used in many productive ways such as to improve workers' lives such as by increasing social protection coverage for workers.

Methodology and data collection

- The report contains some good recommendations for the estimation of gig workers using the Periodic Labour Force Survey. However, the questions that can be asked need to be simple, and not as complicated as the ones suggested in the report, since it is a casual-labour economy in the country.

- There were concerns raised that the NITI report makes predictions of decent incomes for platform workers, despite research showing how platform workers are barely able to make ends meet.

Unionisation and Impact of Platform-Based Work on Worker Solidarity

- A recurring theme of the discussion was if "the platform economy (has) become a metaphor for individualisation of the burdens of survival?".

- There was general agreement among the participants about the isolating implications of platform-based gig work i.e. it becomes very difficult for workers to communicate, organise and unionise given that the work is broken up into pieces and not performed

from the same place of work, along with other aspects of the platform that make collective organising difficult.

- However, it was also recognised that all decent work entitlements that platform workers have received worldwide have been a result of collective action by workers, and this perspective has not received enough acknowledgement in the report.

- The Global South has a rich history of informal workers' movements, as well as of how work has been organised.[44] Imposing this new model of platform work, in this context, is bound to have an impact that is not all positive. The acute lack of unionisation and organising in platform companies was noted, emphasising that this is not incidental or due to a lack of initiative by the workers, but due to active disincentivization tactics employed by platform companies.

- The need for speaking to worker groups was also recognised with a question to the NITI Aayog about whether they will be reaching out to workers groups, given that experiences of dealing with the e-Shram portal, for example, were shared.

Considerations of social and solidarity economy

Narratives about the social and solidarity economy are missing from the report and should be included, as that economy fundamentally challenges the neoliberal model that platforms have taken up today.

Sustainability of platforms and governmental intervention

- Regarding the sustainability of platforms, it was pointed out that while it is an important source of employment generation right now in the face of the global unemployment crisis for youth, it remains to be seen how many years such platforms will last. In the Global North for example, wherever regulation is coming in, platforms are gradually exiting. So,

---

[4]   It is worth noting that in the last couple of years, protests and workers movements in the gig work sector have emerged in different parts of India. The protest of Urban Company workers in Delhi-NCR in 2021, and more recent protests against low commissions and high fuel prices by app-based drivers, are two notable examples.

one has to take a call that if they are to function in India, what kind of regulation should it
function under, and what this means for policy formation.

- A very poignant question was also raised, as to "why a special Platform India initiative is
  required, if as per the report itself, the platform based work sector is booming already?".
  The participant noted that extensive government support is usually reserved for sectors
  that need a push to grow; if this sector is growing organically, why this recommendation of
  the Platform India initiative?

The meeting was seen as a useful dialogue by members of the NITI Aayog team and the
participants, and a timely reflection of a policy domain that is only going to be more crucial in the
coming times. The day-long workshop provided entry points for further discussion and research
by the different groups represented, and offered scope for collaboration in the future.

Annexure 1: List of Participants

1. Dr. Sakshi Khurana, NITI Aayog

2. Anjali Bansal, NITI Aayog

3. Oshin Dharap, NITI Aayog

4. Anita Gurumurthy, IT for Change

5. Aditi Surie, Indian Institute of Human Settlements

6. Mounika Neerukonda, Fairwork India

7. Urvashi Aneja, Digital Futures Lab

8. Sai Amulya K, Femlab

9. Usha Raman, University of Hyderabad

9. Vinaya Chinappa, Enable India

10. Chiara Furtado, Centre for Internet and Society

11. Gayathri V, Labournet

12. Prerna Seth, Centre for Policy Research

13. Sabina Dewan, Just Jobs Network

14. Salonie Hiriyadur, SEWA Cooperative Federation

15. Jai Vipra, Vidhi Centre for Legal Policy

16. Sonakshi Agarwal, IT for Change

17. Uma Rani, International Labour Organisation

Annexure 2: Agenda

Timings	Session Details
10.00 am to 10.20 am	Participant registration
10.20 am to 10.30 am	Welcome and context-setting to the roundtable *Anita Gurumurthy, IT for Change*
10.30 am to 10.45 am	Lead presentation on NITI Aayog report on 'India's booming gig and platform economy – perspectives and recommendations on the future of work' ● *Kundan Kumar, Adviser, Skill Development and Employment Vertical, NITI Aayog* ● *Sakshi Khurana, Senior Specialist, Labour, Employment & Skill Development, NITI Aayog*
10.45 am to 11.10 am	Open discussion
11.10 am to 11.30 am	Tea Break
11.30 am to 12.00 pm [8 minute inputs each]	**Thematic Round 1: Reimagining Social Security For Platform and Gig Work**
	● *Aditi Surie, Indian Institute of Human Settlements* ● *Mounika Neerukonda, Fairwork India* ● *Urvashi Aneja, Digital Futures Lab*

12.00 pm to 12.15 pm	Open discussion
12.15 pm to 12.45 pm [8 minute ~~inputs each~~]	**Thematic Round 2: Promise of Inclusion in Digitally-Mediated Labour Markets**
	● *Usha Raman, University of Hyderabad & Sai Amulya K., Indian Institute of Management, Ahmedabad*
	● *Vinaya Chinappa, Enable India* ● *Chiara Furtado, Centre for Internet and Society*
12.45 pm to 1.00 pm	Open discussion
1.00 pm to 2.00 pm	Lunch break
2.00 pm to 2.40 pm [8 minute inputs each]	**Thematic Round 3: Enskillment and Enterprise Development – Realising India's Demographic Dividend**
	● *Prerna Seth, Centre for Policy and Research* ● *Sabina Dewan, Just Jobs Network* ● *Salonie Muralidhara Hiriyur, SEWA Cooperative Federation* ● *Gayathri V, Labournet*
2.40 pm to 3.00 pm	Open discussion
3.00 pm to 3.30 pm [8 minute inputs each]	**Thematic Round 4: Data Rights As the Frontier of Labour Rights**
	● *Jai Vipra, Vidhi Legal* ● *Sonakshi Agarwal, IT for Change* ● *Uma Rani, ILO*
3.30 pm to 3.45 pm	Open discussion
3.45 pm to 3.55 pm	Closing remarks – *NITI Aayog*
3.55 pm to 4.00 pm	Vote of thanks from *Anita Gurumurthy, IT for Change*
4.00 pm to 4.20 pm	**Tea and Snacks**