The Code on Social Security, 2020

Section 114 - Schemes for gig workers and platform workers

(1) The Central Government may frame andnotify, from time to time, suitable social security schemes for gig workers and platform workers on mattersrelating to---
(a) life and disability cover;
(b) accident insurance;
(c) health and maternity benefits;
(d) old age protection;
(e) creche; and
(f) any other benefit as may be determined by the Central Government.
(2) Every scheme framed and notified under sub-section *(1)* may provide for---
(a) the manner of administration of the scheme;
(b) the agency or agencies for implementing the scheme;
(c) the role of aggregators in the scheme;
(d) the sources of funding of the scheme; and
(e) any other matter as the Central Government may consider necessary for the efficientadministration of the scheme.
(3) Any scheme notified by the Central Government under sub-section (1), may be---
(a) wholly funded by the Central Government; or
(b) partly funded by the Central Government and partly funded by the State Government; or
(c) wholly funded by the contributions of the aggregators; or
(d) partly funded by the Central Government, partly funded by the State Government and partlyfunded through contributions collected from the beneficiaries of the scheme or the aggregators, as maybe specified in the scheme framed by the Central Government; or
(e) funded from corporate social responsibility fund within the meaning of Companies Act, 2013 (18of 2013); or
(f) any other source.
(4) The contribution to be paid by the aggregators for the funding referred to in clause *(ii)* ofsub-section *(1)* of section 141, shall be at such rate not exceeding two per cent., but not less than one percent., as may be notified by the Central Government, of the annual turnover of every such aggregator whofalls within a category of aggregators, as are specified in the Seventh Schedule:
Provided that the contribution by an aggregator shall not exceed five per cent. of the amount paid orpayable by an aggregator to gig workers and platform workers.
Explanation.--- For the purposes of this sub-section, the annual turnover of an aggregator shall notinclude any tax, levy and cess paid or payable to the Central Government.
(5) The date of commencement of contribution from aggregator under this section shall be notified bythe Central Government.
(6) The National Social Security Board constituted under sub-section (1) of section 6 shall be the Boardfor the purposes of the welfare of gig workers and platform workers under the provisions of this Code:
Provided that while such Board serves the purposes of welfare of, or matters relating to, gig workersand platform workers, the following members shall constitute the Board instead of the members specifiedin clauses (c) and (d) of sub-section (2) of section 6, namely:---
(a) five representatives of the aggregators as the Central Government may nominate;
(b) five representatives of the gig workers and platform workers as the Central Government maynominate;
(c) Director General of the Corporation;
(d) Central Provident Fund Commissioner of the Central Board;
(e) such expert members as the Central Government may consider appropriate;

(f) five representatives of the State Governments by such rotation as the Central Government mayconsider appropriate;
(g) Joint Secretary to the Government of India in the Ministry of Labour and Employment, who shallbe the Member Secretary to the Board.
(7) (i) The Central Government may provide that---
(a) the authority to collect and to expend the proceeds of contribution collected;
(b) the rate of interest to be paid by an aggregator in case of delayed payment, less payment or nonpayment of contribution;
(c) self-assessment of contribution by aggregators;
(d) conditions for cessation of a gig worker or a platform worker; and
(e) any other matter relating to smooth functioning of the social security scheme notified under thissection, shall be such as may be prescribed by that Government.
(ii) The Central Government may by notification, exempt such aggregator or class of aggregators frompaying of contribution under sub-section (4), subject to such conditions as may be specified in thenotification.
Explanation.---For the purposes of this section, an aggregator having more than one business shall betreated as a separate business entity or aggregator.