

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced, stored, transmitted, or distributed in any form or by any means, whether electronic, mechanical, photocopying, recording, or otherwise, without prior written permission of the Managing Editor of the *International Journal for Legal Research & Analysis (IJLRA)*.

The views, opinions, interpretations, and conclusions expressed in the articles published in this journal are solely those of the respective authors. They do not necessarily reflect the views of the Editorial Board, Editors, Reviewers, Advisors, or the Publisher of IJLRA.

Although every reasonable effort has been made to ensure the accuracy, authenticity, and proper citation of the content published in this journal, neither the Editorial Board nor IJLRA shall be held liable or responsible, in any manner whatsoever, for any loss, damage, or consequence arising from the use, reliance upon, or interpretation of the information contained in this publication.

The content published herein is intended solely for academic and informational purposes and shall not be construed as legal advice or professional opinion.

**Copyright © International Journal for Legal Research & Analysis.
All rights reserved.**

ABOUT US

The *International Journal for Legal Research & Analysis (IJLRA)* (ISSN: 2582-6433) is a peer-reviewed, academic, online journal published on a monthly basis. The journal aims to provide a comprehensive and interactive platform for the publication of original and high-quality legal research.

IJLRA publishes Short Articles, Long Articles, Research Papers, Case Comments, Book Reviews, Essays, and interdisciplinary studies in the field of law and allied disciplines. The journal seeks to promote critical analysis and informed discourse on contemporary legal, social, and policy issues.

The primary objective of IJLRA is to enhance academic engagement and scholarly dialogue among law students, researchers, academicians, legal professionals, and members of the Bar and Bench. The journal endeavours to establish itself as a credible and widely cited academic publication through the publication of original, well-researched, and analytically sound contributions.

IJLRA welcomes submissions from all branches of law, provided the work is original, unpublished, and submitted in accordance with the prescribed submission guidelines. All manuscripts are subject to a rigorous peer-review process to ensure academic quality, originality, and relevance.

Through its publications, the *International Journal for Legal Research & Analysis* aspires to contribute meaningfully to legal scholarship and the development of law as an instrument of justice and social progress.

PUBLICATION ETHICS, COPYRIGHT & AUTHOR RESPONSIBILITY STATEMENT

The *International Journal for Legal Research and Analysis (IJLRA)* is committed to upholding the highest standards of publication ethics and academic integrity. All manuscripts submitted to the journal must be original, unpublished, and free from plagiarism, data fabrication, falsification, or any form of unethical research or publication practice. Authors are solely responsible for the accuracy, originality, legality, and ethical compliance of their work and must ensure that all sources are properly cited and that necessary permissions for any third-party copyrighted material have been duly obtained prior to submission. Copyright in all published articles vests with IJLRA, unless otherwise expressly stated, and authors grant the journal the irrevocable right to publish, reproduce, distribute, and archive their work in print and electronic formats. The views and opinions expressed in the articles are those of the authors alone and do not reflect the views of the Editors, Editorial Board, Reviewers, or Publisher. IJLRA shall not be liable for any loss, damage, claim, or legal consequence arising from the use, reliance upon, or interpretation of the content published. By submitting a manuscript, the author(s) agree to fully indemnify and hold harmless the journal, its Editor-in-Chief, Editors, Editorial Board, Reviewers, Advisors, Publisher, and Management against any claims, liabilities, or legal proceedings arising out of plagiarism, copyright infringement, defamation, breach of confidentiality, or violation of third-party rights. The journal reserves the absolute right to reject, withdraw, retract, or remove any manuscript or published article in case of ethical or legal violations, without incurring any liability.

A CRITICAL STUDY ON THE ADEQUACY OF SOCIAL SECURITY LAWS FOR GIG WORKERS IN INDIA: EMPIRICAL INSIGHTS FROM CHENNAI

AUTHORED BY - MRS. JAMUNARANI. G & MR. N. MEGAVANNAN

CHAPTER 1 INTRODUCTION

1. Introduction:

The covid pandemic left the economy and the earning capacity of unorganized sectors deprived mainly of climate changes resulting in reduction of income by 60 percent less. International labour organizations by its tripartite nature, data collection sought to revolutionize a breakthrough economy by a lift to those affected and also ensuring them of social security measures by appropriate governments.

“It’s a major win that the ILO is advancing binding standards for platform work,” said Lena Simet, senior economic justice researcher and advocate at Human Rights Watch. Issues like low and unpredictable pay, widespread misclassification of Gig workers, and opaque algorithms that control workers without accountability is still a challenge in the world of Platform workers.

It is in cooperation with ILO, Regional labour organizations and Trade union should the New Social Contract, by modern rethinking of the relationship between governments, businesses, and citizens to address societal challenges like inequality, precarious work, and the impacts of climate change and automation must be addressed.

Gig workers usually find work through the internet and apps. Employers will post their company’s individual needs on job boards and be paired with a gig worker best suited for the position. The wages, skills, and gig workers’ suitability for the project can be taken into account to be matched with an employer. India has the biggest gig economy with 12 million gig worker and expected to double by 24 million by 2030. ¹

1.1. Object and Scope of Study:

¹ <https://www.bbc.com/audio/play/w3ct73vv>

It is to emphasize social justice, economic security through decent work, universal social welfare protection, skills development, and inclusive economic growth to create a more equitable and resilient society for the Gig workers and Platform workers.

The study targets on the inclusiveness of pay guarantee and social security measures,

Primary Objective,

- Guaranteeing more and predictable pay
- Income Security and wage protection
- Algorithm transparency of the platform ratings that decide their pay
- Role of digital platforms in shaping worker welfare
- Role of Government to protect Gig workers by regulating rules around algorithms defining their job.

Understanding the definition of who are classified as Gig workers, enables to frame a structural framework to protect their rights as they are misunderstood as independent employees or contractors despite they are controlled by the companies. Gender equality, equal pay for equal work is not guaranteed or protected by national laws of these workers. Identifying and seeking solutions thorough study of the nature of their work. Hence further objective being,

1. To analyse the legal framework governing gig workers in India, including statutory provisions and policy measures.
2. To study the socio-economic conditions of gig workers in Chennai, particularly in relation to income security, health, and welfare.
3. To evaluate the level of awareness and accessibility of social security schemes among gig workers.
4. To identify gaps and challenges in the implementation of social welfare measures for gig workers.
5. To examine the role of digital platforms (such as ride-hailing and delivery services) in providing or influencing social security benefits.
6. To compare Indian legal provisions with international standards, especially those advocated by the International Labour Organization.
7. To compare other countries with India related to gig work framework and laws.
8. To suggest legal and policy reforms for improving social security coverage and protection of gig workers.

1.2 Research Statement:

- a. Despite recognition under the Code on Social Security, 2020, gig workers continue to face inadequate access to social welfare measures such as health insurance, income security, and old-age benefits. This raises a critical question as to whether existing legal and policy frameworks are sufficient to ensure effective social protection for gig workers in India.
- b. While the gig economy has created employment opportunities, it has simultaneously exposed significant gaps in social welfare delivery. Existing schemes under Indian law lack clarity, implementation mechanisms, and universal coverage for gig workers. This research addresses the disconnect between policy recognition and practical enforcement of social security measures, and evaluates the effectiveness of current welfare frameworks.
- c. This research examines whether the existing framework in India sufficiently safeguards the socio-economic rights of gig workers and proposes reforms grounded in constitutional principles and international labour standards.
- d. In light of the standards promoted by the International Labour Organization, the existing social welfare framework for gig workers in India appears fragmented and inadequate. This study aims to compare domestic legal provisions with international best practices and identify gaps in implementation.

1.1 Research Questions:

1. What is the legal status of gig workers under Indian labour laws?
2. What social security measures are currently available to gig workers in Chennai?
3. To what extent are gig workers aware of social welfare schemes and legal protections?
4. How effectively are social security provisions implemented for gig workers in practice and
What are the major challenges faced by gig workers in accessing social security benefits?
5. How do digital platforms influence the availability and delivery of welfare measures and
what reforms are necessary to improve social security coverage for gig workers in Chennai?
6. Does the current legal framework align with international standards, particularly those of the
International Labour Organization?

1.2 Hypothesis:

- a. Whether Gig workers enjoy stable and sufficient income ensuring economic security
- b. Does Social welfare measures for gig workers in India align with the standards of the International Labour Organization.

- c. Whether Existing social welfare measures, including those under the Code on Social Security, 2020 are adequate and effectively protect gig workers.
- d. Does The absence of a clear employer–employee relationship in gig work significantly undermines the effectiveness of social welfare measures
- e. Does gig work indirectly affects students dropout from higher education due to the choice of easy flexible work environment and sufficient teenage earning

1.5 Research Methodology:

1.5.1 Nature of Research:

The present study adopts a socio-legal research approach, combining both doctrinal (analytical) and empirical (field-based) methods. The research aims to examine not only the legal framework governing gig workers but also the practical realities faced by them in Chennai.

1.5.2 Research Design:

The study is descriptive and analytical in nature:

Descriptive: To describe existing social security measures available to gig workers

Analytical: To critically evaluate the effectiveness of these measures and identify gaps

1.5.3 Sources of Data:

A. Primary Data

Primary data collected through:

Structured questions asked directly to gig workers in Chennai, interviewed selected respondents for deeper insights.

Respondents include workers associated with platforms such as:

Uber & Ola

Amazon & Urban Company

Swiggy & Zomato

Blinkit

Shadowfax , Online tutors, Freelancers etc.,

B. Secondary Data

Secondary data collected from:

- (i) Statutes such as the Code on Social Security, 2020
- (ii) Reports of the International Labour Organization
- (iii) Books, journals, research articles, and government publications and

Online databases and official websites

1.5.4 Data Collection Method and Sample Method

Personal interaction with gig workers at:

Delivery partners waiting at Restaurants

Home delivery partners (food, grocery, medicines, parcels etc.,)

Public areas

Sample Size: Approximately 30–100 gig workers in Chennai

Sampling Area: Various zones of Chennai (North, South, Central, Suburban)

Data Analysis:

Interpretation will focus on:

- ✓ Awareness levels
- ✓ Access to benefits
- ✓ Gaps in implementation

This mixed-method approach ensures a comprehensive understanding of both the legal framework and ground realities, enabling a critical evaluation of social security measures for gig workers in Chennai

1.7 Limitations of the Study :

1. Limited samples, as the gig working is time and delivery based.
2. Interview was done in minutes only.
3. Possible bias in respondent answers
4. Lack of comprehensive official data on gig workers
5. Rapid changes in laws and policies
6. Less awareness and ignorance of Social security needs. Thus confusion in answering with Relevancy

1.8 Scheme of Study:

This research lays the foundation of the empirical research, it includes:

- a. Background of the gig economy and rise of platform work
- b. Concept and definition of gig workers
- c. Importance of social security in the gig economy
- d. Statement of the problem
- e. Objectives of the study
- f. Research questions and hypotheses
- g. Research methodology
- h. Scope and limitations of the study
- i. Comparative analysis between India and Western countries
- j. Ground level problems faced by Gig Workers
- k. Societal Impact of Gig economy
- l. Conclusion of the Research

1.4 Literature Review:

- Studies by the International Labour Organization highlight that, The World Employment and Social Outlook 2021(WESO): The role of digital labour platforms in transforming the world of work provides detailed findings:
 - a. Lack of social security coverage for gig workers
 - b. Unequal bargaining power between workers and platforms and wage disparities across regions
- Diane Coyle, Professor of Public Policy, University of Cambridge highlights that the gig economy, driven by digital platforms, offers flexibility and immense value but creates precarious work due to a lack of traditional labor protections
- NITI Aayog estimates that the sector had 7.7 million workers in 2020, and the number is set to triple to 23.5 million by 2029 – 30
- Woodcock and Graham in “The Gig Economy: A Critical Introduction”, gig work offers flexibility and autonomy to workers, allowing them to choose their working hours and type of work.
- Discussions surrounding the Code on Social Security, 2020 indicate a progressive step towards recognizing gig and platform workers by providing a legal definition and enabling social security scheme There is a consensus among scholars and policymakers that comprehensive legal frameworks and effective implementation mechanisms are necessary to ensure that gig workers are protected and integrated into the formal economy.

- Algorithmic Management and Control, One of the most discussed themes is algorithmic management, where platforms control workers through:
 1. Task allocation
 2. Rating systems
 3. Performance tracking

Thus algorithms create power asymmetries, limiting worker autonomy and increasing surveillance

CHAPTER 2

LIFE AND LIFESTYLE OF GIG WORKERS-THE BACKGROUND STUDY

2.1 Sectors from which Gig workers originate:

In the evolution of globalization, and technological developments incorporated in businesses, the workers in traditional jobs. Those who work or study part time choose to be gig workers, without affecting their routine. Chennai is well known for its welcoming and prosperous lift for those migrate from villages in search of jobs with limited educational qualification but with abundant skill. The Gig economy has been a boon to those sects, but the question is, whether it provides for sufficient living for a family build around gig income, with promising Social Security Benefits in a often inflating cost in a city like Chennai.

2.1.1 Track switching from a traditional generation:

Skilled by generations of traditional knowledge, but without sufficient income have jumped to become a gig workers. A silk sari sales person with the textile moguls in Mambalam, and with generations of weaving knowledge and intricate designs of the saree, have opted to become a delivery person. Reason being the frustration of standing long hours, meagre income and strict timings. Eventually that traditional knowledge is digitalized and customer who purchases sari online gets to know widely about the design and material, which at last is simply delivered by the person who once sold it at the shop.

2.1.2 Part-time Income Sources:

A mobile flower vendor, or a vegetable vendor after their business hours in the morning and evening opts to work as gig worker which supports their income with flexible work hours. Similarly a student who attends evening college, opts to deliver in flexible timings to support their income self-sufficient to continue their education.

2.1.3 Extended need for Income:

A retired healthy person both physically and mentally, and still in need of income to support himself and his dependents opt to become a gig worker. A retired teacher chooses to share her knowledge in online platform for an extended income. Many students abroad are taught music, language, chess and even dance online. There are online gym physical instructors too.

2.2 Skills needed to become a gig worker:

Fit to move around independently, good eyesight and hearing is most importantly needed for a platform worker. Adding to it he must be skilled in driving two wheelers, four wheelers, technical enough to understand geographic locations using GIS and mapping skills.

2.2.1 Running Staff

The highly chosen work in gig economy with minimum educational qualification is a “Running staff” which involves transportation and delivery. The independency and good reflex attitude of the person is considered for the work. Thus abiding traffic rules, updated license and good driving skills without a ticket makes him eligible a running staff. They are independent or on contract work.

- Maintenance of vehicle and fuel expenses should be considered, and also uncertainties during vehicle break down
- Health check for eyesight, cardio health should be done periodically like any other running staffs

2.2.2 Online Gig Tutors and Temporary faculties:

A person already a professional and skilled in the said work with technical knowledge collaborates online tutoring in the digital platform. This evolved in the pandemic during the “New Normal” lifestyle where online tutoring was encouraged by schools holding their children to their backpack remotely. Subsequently, though normal lifestyle reverted back, people opted to retain the tutoring from home. This mainly needed an Internet with good

speed and data.

- In this case the online gig tutors must be given licence or certificate to conduct classes
- During pandemic many have been scammed by persons who claimed themselves as professional teachers
- The global timing, and irregular hours of classes creates occupational health difficulties such as sleep disturbance and poor gut health
- Some schools even hire a teacher for a week, for reasons like, to substitute a sick teacher or a teacher on a RL leave, for religious functions or personal functions.
- Online tutoring must be mandated to acquire license in the field of tutoring to protect the interest of real professionals

2.2.3 Home Services:

Personal care and beautification has become a part of life to both men and women. Long waiting time at parlours has been replaced now by in-home services and personal attention. Many such home service provider companies like “Urban Company” made it a professional earning supporting Gig workers who are skilled beauticians but without a big investment to run a parlor.

- They are often harassed by the Clients if something goes wrong
- Safety of the female workers is a prime issue as they blindly accept the booking at a new place to attend service every time
- The system of rating their service puts them in inconvenient situations for which they are forced to do against their will

2.2.4 On demand Services:

- a. The platform is provided through the app in which client does the booking for his personal need for temporary work. The best example would be booking a driver through the “Drive U” app when needed rather than employing a full time driver for monthly salary. Similarly house cleaning services highly on demand during deewali and festive seasons. These gig

workers replace the regular workers employed for a monthly salary and perks during festive seasons.

- b.** These workers rather than stuck with a single master, provides service to their capacity by accepting prior bookings on demand.
- c.** There is no continuous relationship between the master and the worker of the day.
- d.** The common allegation arising from this kind of on-demand service is damage to the client's property in the case of conflicts between them On demand Services.

2.2.5 Occasional services:

In occasions like weddings and ceremonies gig workers register themselves with the contractors for services and when there is an occasion depending upon the availability of the person opt to serve for the day in the Event Management business in multiple needs.

2.3 Constitutional Guarantee for work ethics and Equality:

Our Indian Constitution guarantees equality in its fundamental rights protecting the workers and their dignity. Article 14 guarantees equality, Article 23, Against forced labour, and in Part IV, DPSP (Directive Principles of State Policy) such as Article 39 (equitable distribution and just conditions of work), Article 41 (right to work and public assistance), Article 42 (just and humane conditions of work, maternity relief), and Article 43 (living wages and promotion of cottage industries). These provisions serve as the foundational framework for labor laws enacted by the Parliament.

Most specifically Article 19(1)(g), guarantees every citizen the fundamental right to practice any profession, or to carry on any occupation, trade, or business. Gig workers crossed the barriers of diversified language restrictions and the platform allows them to choose the work they wish to do, in a place they want to do, by their own flexible timings

Article 43, envisages the living wages, which is the elevation of minimum and fair wages that

is the sufficient income for the earner, to live a dignified life. Platform workers achieve this in gig economy

Gig economy had provided work freedom, no contract, termed as “partner”, deciding his work and pay balance without conflicts.

2.3.1 Recognition of Gig workers:

Recognizing the contribution of the platform workers to the nation’s economy, Union Budget 2025-26 announced provisions for

- Registration of online platform workers on e-Shram portal
- Issue of identity cards, and
- Healthcare coverage under Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (AB-PMJAY).

The AB-PMJAY health scheme provides a cover of Rs. 5 lakhs per family per year for secondary and tertiary care hospitalization across over 31,000 public and private empanelled hospitals in India. The AB-PMJAY scheme for platform workers is yet to be launched.

The Code on Social Security, 2020, is a beneficial legislation which had defined Gig workers and Platform workers.

Section 2(35), The Code on Social Security, 2020 defines ‘**Gig workers**’ as, a person who performs work or participates in a work arrangement and earns from such activities outside of traditional employer-employee relationship.

Section 2(60), defines “**platform work**” means a work arrangement outside of a traditional employer-employee relationship in which organization or individuals use an online platform to access other 14rganization 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.

Section 2(61) defines “**platform worker**” means a person engaged in or undertaking platform work

2.3.2 Legislative social security framework:

The code provides for social security measures for gig workers and platform workers. Some states have proactively enacted laws to safeguard gig workers. Some states, such as

Karnataka, have taken steps to enact state-specific legislation to address the unique needs of the gig economy. The Karnataka Platform based Gig Workers (Social Security and Welfare) Ordinance, 2025, aims to provide social security and welfare benefits to gig and platform workers in the state.

2.3.3 Benefits under the Code:

The Code on Social Security, 2020 is the first ever legislation to provide social security benefits during sickness, disablement, accident and other uncertainties.

2.4 Q-Commerce and E- Commerce:

The fast world demands fast delivery too. One such emerged industry is Q-Commerce termed from quick commerce as an integral part of E- Commerce. Quick delivery within minutes mainly encouraged by women for their provisions.

2.4.1 Fast and furious:

The speed also comes with danger of riding and delivery as fast as they can. The earning increases by the number of deliveries. The partner can work either part-time or full-time. The distance in Quick delivery is within 11kms radius from the storeroom.

2.4.2 Perks and Benefits for full-time and Part-time workers:

- They are included in the Accident Insurance Policy taken by the employer, but excludes Part-time workers.
- No other beneficial insurance is given to either of the partners.
- The rental of EV bikes are provided by the employer from other platform vendors such as Shadowfax which is deducted weekly around for Rs.200
- The earning capacity of the delivery partner depends upon his speed and moving capabilities ranging from Rs.15,000 to Rs.50,000 per month.
- The recruited partner are below 40 years for Q-Commerce jobs.
- The part-time delivery partner chooses to work with multiple platform employers. For example, if the partner works for Zomato on Monday, he may work for Swiggy on Tuesday. He should be registered partner in the App.

2.4.2 Delivery Partners and Vehicle rental vendors:

The delivery partners ease their workers by rental facility of bikes from their registered

vendors. The rental is deducted from the workers earnings. Companies like Amazon have registered with platform apps such as Drive U, to rent four wheelers.



Fig:1



Fig:2

2.4 Hierarchy of control at storerooms/Godowns:

The storeroom and management of it are by proper employee recruitments.

The gig and platform workers are supervised and directed by

- Assistant store manager
- Store manager
- Supervisor of stores
- City Manager of the Zone
- CEO city manager –in control of more than 6 zones together.

Chennai city has spreaded stockrooms rented in commercial space. For example, Blinkit has 61 such stockrooms in Chennai. Each controlled by the above hierarchy

2.5 Incentives and perks:

To encourage and boost the partners in their efficiency to deliver, more deliveries more the incentives. The target is set, and incentives are announced by placing notice in a conspicuous space.

- Deliveries during rainy days, Government declared holidays and uncertain conditions the partner is offered for enhanced commission for such delivery.
- There is no overtime concept in most gig workers jobs. It is based on only number of deliveries, service, speed deliveries etc., For speed deliveries or demand based deliveries the extra cost is charged to the customers
- The conditions to receive incentives is informed prior according to the Rule book of the company

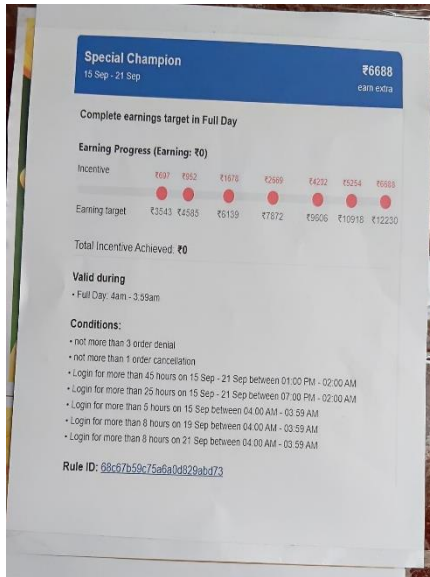


Fig:3

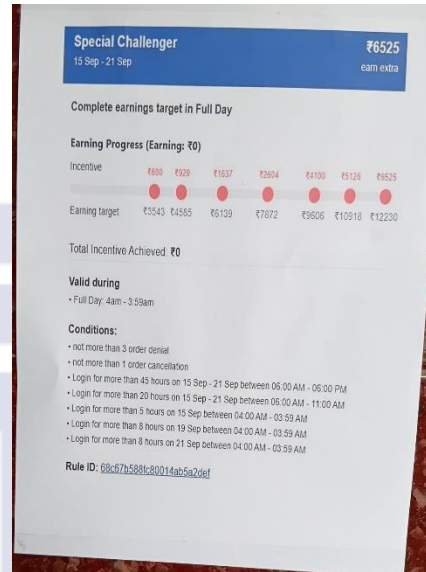


Fig:4

Fig: 3

4

and

Fig:

clearly indicates the start time of the work, when and the shift end time of the day

2.6 Occupational risks and pressures:

Every gig worker comes with work pressure and hazardous risk of their life to achieve target.

They compromise with their income to rules to follow.

Last year, thousands of gig workers in Delhi led massive protests over their pay and working conditions. They were also upset about the pressures of having to deliver products within 10 minutes that's the guarantee some companies had initiated to try to get an edge in a very competitive market.



Fig 5



Fig:6

Fig:6 A Platform worker doing the plumbing work in the overhead tank with no safety gear

The gig workers are mostly young men who are ardent to earn for their livelihood. At the same time they cannot handle the work pressure in the name of target and incentives. Urban company plumbers, electricians, AC Mechanics and painters does risky jobs involving height, electricity and hanging. The company covers the risk only to online payments by the customers of their work or redo. The work guarantee cannot be availed by customers who does cash payment after service.

Women from urban company accepts services for bathroom cleaning which involves mild acids and abrasive chemicals. They are not medically tested as to their pregnancy or other feminine issues. Though the equal opportunity of employment prevails, natural causes which make women to be safe must be considered.

2.8 No Labour Union Representation:

There are no Unions to represent their problems and occupational health risks that are ignored by them, which prejudices their social welfare measures.

During 2008 in Aviation Industry reflected a huge change relating to health measure taken up by Unions to reduce Check-in baggage limit of passengers. Baggage handlers nationwide campaigned for the maximum luggage weight limit allocated to each airline passenger to be cut. Unite, the workers' union, said baggage handlers want the Health and

Safety Executive (HSE) to reduce the maximum weight limit from 32kg to 23kg a bag. It claimed that number of accidents nationally caused by workers shifting heavy bags has increased in years by 17 per cent.² But the Occupational hazards of the Gig worker are ignored by the platforms or even the Gig himself without envisioning the future security by social welfare.

2.9 Club Gigs and Dance Gigs:

A club gig is a live musical or other performance by a musician, band, or DJ at a club, which is often a temporary or short-term engagement for the artist. It functions as a job or performance, giving entertainers a chance to perform for an audience, gain experience, and build a following in a smaller venue setting.

Dance gigs in Chennai, explore online platforms like **Talentrack** and **LetsFAME** for auditions and opportunities in performances, music videos, and events. Network with local dance studios, production houses, and choreographers, or look for performance opportunities listed on event sites like **SkillBox**.

2.9.1 Doctrine of Frustration:

This category gig workers are now free from the binding of the contract period or conditions of performance. If any unseen or uncertain contingent situations arise they are free of any contract binding them as gig workers.

CHAPTER 3

3.1 Legislations, Reforms and Gig Workers

The recent unification and implementation of four Labour Codes to simplify Labour laws. The codes have incorporated the definition of “Gig” and “Platform workers” in the code for labour laws. Better wages, safety, Social security, and enhanced welfare for the Indian workforce is strategized. The Code is justified by the ecosystem of the global standards, and social justice for all workmen.

The 29 existing central labour laws are rationalised to,

² <https://www.tuc.org.uk/research-analysis/reports/cut-weight-limit-say-bag-handlers>

- The Code on Wages, 2019,
- The Industrial Relations Code, 2020,
- The Code on Social Security, 2020 and
- The Occupational Safety, Health and Working Conditions Code, 2020 with
 effective from 21st November 2025

Issue	Pre Labour Reforms	Post Labour Reforms
Social Security coverage	Limited Social Security coverage	Under Code on Social Security, 2020 all Workers including gig & platform workers to get social security coverage. All eligible workers will get PF, ESIC, insurance, and other social security benefits.

INCORPORATION IN NEW LABOUR REFORM:

1. Gig work’, ‘Platform work’, and ‘Aggregators’ have been defined for the first time.

Section 2(35), “Gig worker” means a person who performs work or participates in a work arrangement and earns from such activities outside of traditional employer-employee relationship;

(60) “platform work” means 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;

(61) “platform worker” means a person engaged in or undertaking platform work;

2. Aggregators must contribute 1–2% of the annual turnover, capped at 5% of the amount paid or payable to gig and platform workers.

3. Aadhaar-linked Universal Account Number makes welfare benefits easy to access, fully portable, and available across states, which is eased for migration workers.

“Over the past decade, India has expanded social-security coverage dramatically, rising from about 19% of the workforce in 2015 to more than 64% in 2025, ensuring that protection and dignity reach workers across the country, and also earning recognition in the global arena for this milestone achievement in social protection. The implementation of the four Labour Codes marks the next major step in this trajectory, further widening the social-security net and embedding portability of benefits across states and sectors. With expanded social security, stronger protections and nationwide portability of entitlements, the Codes place workers, especially women, youth, unorganised, gig and migrant workers, firmly at the centre of labour governance. Reducing compliance burden and enabling flexible, modern work arrangements, the Codes boost employment, skilling and industry growth, reaffirming the Government’s commitment to a pro-worker, pro-women, pro-youth and pro-employment labour ecosystem”³

4. The Code on Social Security, 2020 (ACT NO. 36 OF 2020)

Transitional changes have been brought in, The Code On Social Security, 2020 regarding gig and platform workers.

- “Section 45, Schemes for unorganized workers, gig workers and platform workers.— (1) Notwithstanding anything contained in this Chapter, the Central Government may, by notification, frame scheme for unorganised workers, gig workers and platform workers and the members of their families for providing benefits admissible under this Chapter by the Corporation.
- (2) The contribution, user charges, scale of benefits, qualifying and eligibility conditions and other terms and conditions subject to which the scheme may be operated shall be such as may be specified in the scheme”

³ Press release information Bureau-Rini Choudhury/Anjelina Alexander (Release ID: 2192463) Visitor Counter : 815, Ministry of Labour & Employment

➤ CHAPTER IX, envisages on SOCIAL SECURITY FOR UNORGANISED WORKERS, GIG WORKERS AND PLATFORM WORKERS

Section 109, Framing of schemes for unorganised workers.

Section 110, Funding of state government schemes

Section 111, Record keeping.

Section 112, Helpline, facilitation centre, etc., for unorganised workers, gig workers and platform workers.

Section 113, Registration of unorganised workers, gig workers and platform workers.

Section 114, Schemes for gig workers and platform workers.

- ❖ Section 2(78), “**Social Security**” defined as the measures of protection afforded to employees, unorganized workers,

Gig workers and Platform workers to ensure access to health care and to provide income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner by means of rights conferred on them and schemes framed, under this Code

- ❖ Section 6(7), **The National Social Security Board** shall perform the following functions, namely:—

(a) recommend to the Central Government for framing suitable schemes for different sections of unorganised workers, gig workers and platform workers;

(b) monitor such social welfare schemes for unorganised workers, Gig and platform workers,

as are administered by the Central Government

- ❖ **Section 141. Social Security Fund.**—(1) There shall be established by the Central Government a Social Security Fund for social security and welfare of the unorganised workers, gig workers and platform workers

3.2 Objective of the transition:

The Second National Commission on Labour, submitted its report in June, 2002 had recommended that the existing set of labour laws should be broadly amalgamated. In pursuance of the recommendations of the said Commission and the deliberations made in the tripartite meeting comprising of the Government, employers' and industry representatives, the Code on Social Security, 2019 was introduced in the Lok Sabha on 11th December, 2019.

The Code on Social Security, 2019 was referred to the Parliamentary Standing Committee on

Labour on 24th December, 2019 and the Committee submitted its report on 31st July, 2020 with certain recommendations. After incorporating the valuable suggestions of the Committee, it was decided to withdraw the pending Code on Social Security, 2019 and to propose a fresh Bill, namely, the Code on Social Security, 2020.

3.3 Salient features of the code regarding gig workers:

- (a) To define expressions such as “Gig work”, “Gig workers”, “Platform workers”
- (b) To empower the Central Government to frame schemes for unorganised workers, gig workers and platform workers and the members of their families for providing benefits relating to Employees' State Insurance Corporation
- (c)) To provide for registration of every unorganised worker, gig worker or platform worker on the basis of self-declaration electronically or otherwise, along with such documents including Aadhaar number, in such form and in such manner, containing such information as may be prescribed by the Central Government to provide for establishment and maintenance of separate accounts under social security fund, for the welfare of unorganised workers, gig workers and platform workers; and a separate account for the amount received from the composition of offences under the Bill or under any other central labour

3.4 ILO and Gig workers:

The ILO's country program for 2023-27 is closely aligned with the UN Sustainable Development Framework. The Decent Work Country Program for India 2023 – 2027, formulated and adopted by the constituents at the national level through a tripartite consultation process, is the framework for the ILO's assistance to constituents in the country. The gig economy is one of the important topic discussed in the forums of ILO. There are currently no binding international laws that explicitly address the labor conditions experienced by platform workers, though international human rights law outlines the protections that all workers are entitled to. The ILO has an urgent opportunity to ensure that platform workers, a significant and growing part of the work force, are able to access their rights in full.

Negotiations on the new standards are underway at the International Labour Conference. The discussions on scope and content will conclude at the 114th session in 2026, when the final instruments would be formally adopted if member states, and employers' and

workers' representatives reach agreement.

The Association of Southeast Asian Nations (ASEAN) estimates suggest that there are 63 million registered workers engaged in online freelancing services and roughly 40 million in on-demand digital services⁴

CHAPTER 4

Societal Advantages and disadvantages of gig work

4.1 MERITS OF BEING A GIG WORKER :

- ✓ Flexible timings,
- ✓ freedom from having a boss,
- ✓ choice of work,
- ✓ educational qualification not mandatory as a criterion for the work
- ✓ more time spent with family, occasions and celebrations
- ✓ job done, get paid
- ✓ no rigid target fixing for performance
- ✓ multiple work done for different partners tagging in their respective App

4.2 Drawback of being Gig workers:

- There are many drawbacks in being a gig worker. Their work is temporary and social security measures are optional leaving them unsecured of themselves and their dependents.
- surging dropouts from higher education:

⁴ ASEAN Secretariat, 2023

- The self sufficient income in multifaceted line of earning without any experience or training had led to great decrease of students entering higher education. Dropouts from higher education is in rise as the gig workers have no fixed age limit or timing to work. The state has the responsibility of empowering youngsters through higher education.
- Education not a priority:

There was a factual circumstance, when a boy who was to write 12th exam, did not show up till 10.30 am, the teacher called the parent and informed about the exam, the parent had said that he had been working previous night doing BIG Basket deliveries and was sleeping. The analysis here would be that, the first generation who needed the education to thrive had chosen as gig worker leaving the education behind and working for instant money



Fig:7

Fig: 7- A delivery Partner holding extra sized parcel for delivery in a two wheeler

Gig workers are committed to services which involves unsupervised risky jobs, which by law is prohibited. Transporting oversized parcels in two wheelers without any monitoring, posing threat to the delivery partner himself and also to the general public.

Rapido delivery partner who was shocked to find that a customer booked his service to

transport and dispose of household garbage, not a standard parcel. The customer paid online and asked the porter to dump the sealed box at the destination, raising debate about the misuse of gig services. These partners deliver food items, documents, Etc., booking the services for garbage raises the issue of sanitation and cross contamination of other items they carry with.

4.2.1 Surging dropouts from higher education:

The self sufficient income in multifaceted line of earning without any experience or training had led to great decrease of students entering higher education. Dropouts from higher education is in rise as the gig workers have no fixed age limit or timing to work. The state has the responsibility of empowering youngsters through higher education.

4.2.2 Education not a priority:

There was a factual circumstance, when a boy who was to write 12th exam, did not show up till 10.30 am, the teacher called the parent and informed about the exam, the parent had said that he had been working previous night doing BIG Basket deliveries and was sleeping. The analysis here would be that, the first generation who needed the education to thrive had chosen as gig worker leaving the education behind and working for instant money

4.2.3 Professionals replaced by Gig worker:

Certain professionals are replaced by gig workers doing freelancing job from home. For example to say freelancers in law does petitions drafting from home. They need not be lawyers, but should be equipped with good language skills and technical skills. Drafting job, even for drafting international agreements, contracts etc., is facilitated through gig workers who work from home or any part of the world. The awakening of AI world supports gig workers in such areas of work. So senior lawyers are no longer stuck with juniors with paperwork to be done.

4.2.4 Society's outlook of a Gig worker:

With not enough qualification, adapted to gig worklife, sustains himself and not with job guarantee, that which is rejected by the society as a criteria mandatory for a marriage or family life needed to support the extended family needs. Also at times prejudices character judgment for both male and female as they cannot be verified with an adhoc employer. The question arises is that, whether gig work is by Choice, Compulsion or Convenience ?

The majority answer was Convenience and no debate in that.

At the same time the rehabilitated prisoners, who went through counselling and reformation programmes, have unlimited opening as a gig worker without digging their past, giving them a chance for a dignified life and move forward leaving behind the past.

4.2.5 Climate change and Gig work:

“In August 2024, the Telangana Gig and Platform Workers Union (TGPWU) and HeatWatch published a survey report on the impacts of extreme heat on gig workers in Hyderabad, underscoring several significant issues. The report includes a set of recommendations to the state and platform companies to intervene in the escalating precarity of workers caused by extraordinary temperatures that are projected to rise in the coming years. This article seeks to highlight the salience of the report, which, in part, emphasises urban infrastructures against the backdrop of a booming labour sector and climate crisis, among other things. Labour welfare in connection with the gig economy cannot be divorced from comprehending the interrelations it

shares with environmental and climate issues that, in general, unevenly affect poor, labouring, and marginalised sections of society as many have argued by now. The inseparable connections between the climate crisis and gig work also push us to ask the larger question of what the city means as an open workspace in the present and future. In other words, how does gig work appear in the imaginaries of cities we dream of? This article does not intend to provide comprehensive answers to these points but seeks to push thinking about gig work in relation to urban infrastructure, grounding itself on the report by the TGPWU and HeatWatch”⁵

Gulf War has critically affected the gig workers as they are paid based on task basis. With LPG shortage of supply the food deliveries are affected and earnings have declined significantly of gig workers.⁶

Climate change includes Global warming, unexpected natural disasters, manmade disasters, which impacts gig workers deprived of their earning and no social security benefits as a gig for which legislations should be made to secure their future.

⁵ <https://www.epw.in/engage/article/gig-work-climate-crisis-and-urban-infrastructures>

⁶ <https://www.thehindu.com/opinion/open-page/how-the-gulf-war-is-affecting-gig-workers/article70755658.ece>

4.2.6 Freelance Gig in contract Drafting:

Contract drafting domestic and international agreements does not need a law degree per se, but the knowledge of essential key terms to be added in the agreement. This freelancing is done by gig workers around the world, tagging in Gig platforms such as “FIVERR” and “UPWORK”.

Skilled drafters of all kind contracts, Cookie policy, confidentiality clauses for employment agreements, Termination clauses, return policies for CXO (Chief Experience Officer) contracts, Consultancy agreement, Compensation elements, etc., the cropping startups every day and recurring demand for the contract drafting in rise, opens doors to many services from one document. This kind of jobs supports women working and balancing home at ease without much pressure to run.



An important benefit of women’s participation in the gig economy is the flexible schedule it offers, allowing them to balance work with other responsibilities. This flexibility makes platform-based work appealing to many women, as it provides control over their timetables and the opportunity to earn income while attending to family duties.

Most importantly boon to the people, in

- ✓ Transport and delivery of a letter without stamp, and within hours
- ✓ Delivery of food or essentials to the patient and caretaker held at hospital

- ✓ Anytime anywhere service mainly in the cities and surrounding areas

CHAPTER 5

GIG A GLOBAL ECONOMY

5.1 Gig work in Indian perspective:

Gender inequality is still a concern in countries like INDIA. The Platforms such as Uber and OLA facilitates majorly, male cab drivers. Very few women opt for two wheeler, as pink ride, a ride sharing in safety. The food delivery apps, mainly dominated by male delivery partners has very few women delivery partners that too in metropolitan cities only.

Education is not a mandatory criterion to be a gig. Hence the moving partners are least bothered about road safety rules etc., Cloud kitchen deliveries are a question of health and sanitation.

The most used apps in India are food delivery and ride apps. Every household may have a two wheeler but not a four wheeler. Apps like Urban Company provide for hustle free services such as electrician and plumber bookings, who are needed in emergency situations. Easy payment options and work guarantee given for online payments only, encourages to make payments online before or after services.

A worker who once worked under a mistry or foreman is self-employed through the platform apps and earns self-sufficient without being bossed or underpaid of his toil becoming independent worker of his choice.

Youth is main source for Gig work in India. They do not travel or move from state to state to be a Gig worker.

5.2 Gig work in Global perspective:

In countries like US and UK, the gender discrimination is less when it comes to work and workplace rights. UBER, the ride app, equally has drivers of both men and women. All kinds of models such as SUVs are also driven by female drivers.

The high labour cost in western countries, does not facilitate more of “in home services” through apps. For example., The homeowners have HOA (Home owners Association), for which monthly subscription is paid for maintenance and repair works. Thus bookings of electrician and plumber is not needed by homeowners. Gig economy income is taxable

Income earned must be reported from the gig economy on a tax return, even if the income is, From part-time, temporary or side work, Not reported on an information return form —

like a Form 1099-K, 1099-MISC, 1099-NEC, W-2 or other income statement Paid in any form, including

cash, property, goods, or virtual currency. IRS Considers gig workers as self-employed contractors, not employees of the companies they work for. This means employers don't withhold taxes or provide benefits, and workers have the advantage of controlling how and when they work. To determine if an employee or an independent contractor, the IRS considers the following factors:⁷

A landmark deal was arrived in 2025, by **Uber** and **Lyft** which agreed for a framework that allows California drivers to form union to negotiate and bargain for better pay. This agreement, signed by Governor Gavin Newsom, marks a significant shift in the ride-hailing industry's approach to labor organizing⁸

The Transport Workers Union and Australia's two largest on-demand delivery platforms **DoorDash** and **Uber Eats** together made a joint submission to the Fair Work Commission for the establishment of a set of minimum standards for workers in the on-demand economy.

The proposed Minimum Standards Order (MSO) includes legally enforceable new protections for workers and baseline standards that the TWU has campaigned for over many years, marking a meaningful step forward that strengthens protections and provides certainty for thousands of platform workers.

The agreement demonstrates how minimum standards for platform workers can be achieved while preserving the flexibility that is inherent in platform work. The proposal strikes a balance to introduce a fair minimum rate of pay for on demand delivery workers for the first time, while supporting the sustainability of the sector.⁹

- DoorDash, Uber Eats and the TWU have agreed to key standards including:
 1. Minimum safety net pay rates for all classes of transport types;
 2. Dispute resolution processes;
 3. A voice for platform workers, via engagement and feedback mechanisms;
 4. Representation rights; and

⁷ <https://www.irs.gov/businesses/gig-economy-tax-center>

⁸ <https://www.latimes.com/california/story/2025-08-29/california-lawmakers-strike-deal-to-allow-uber-lyft-drivers-to-unionize>

⁹ <https://www.twu.com.au/press/transport-workers-union-platforms-propose-minimum-standards/>

5. Accident insurance for injured workers

While employers receive W-2 tax forms, gig workers are given a 1099-NEC form come tax season and are typically responsible for paying self-employment taxes to the IRS.

5.3 Comparative Analysis between India and USA, UK :

5.3.1 Women Workforce:

In India, Tamil Nadu State accounts for over 40% of the entire women workforce in manufacturing sector. It is evident not only from multiple field surveys but also from the shop floors of industries in the State. According to the Annual Survey of Industries in 2019-20, released by the Union Ministry of Statistics and Programme Implementation, of the 15.8 lakh women working in industries in India, 6.79 lakh or 43% are in Tamil Nadu.¹⁰ But Women face significant safety risks and social stigma, particularly when engaging in work, such as driving, that is historically viewed as a "man's job".

‘**The Gig Economy: A Critical Introduction (2020)**’, by **Jamie Woodcock and Mark Graham**, highlights that women in the gig economy often face a "paradox of flexibility," where promises of freedom are constrained by patriarchal norms, safety risks, and disproportionate responsibility for unpaid care work. It reveals how digital platforms often reproduce traditional gendered, low-paid, and insecure labor, rather than liberating women workers.¹¹

A federal jury in Phoenix ordered Uber on Thursday to pay \$8.5m after finding the company liable in a lawsuit brought by a woman who said she was sexually assaulted by a driver. The verdict could influence thousands of similar cases against the ride-hailing company.¹²

5.3.2 “Vicarious liability” and “Apparent Agency”:

The case, brought by plaintiff Jaylynn Dean, was the first trial of more than 3,000 similar lawsuits against Uber that have been consolidated in US federal court. So-called **bellwether trials** are used to test legal theories and help gauge the value of claims for possible settlements. The jury found that the driver was an agent of Uber, holding the

¹⁰ https://www.thehindu.com/news/national/tamil-nadu/where-women-elevate-shop-floors/article67525770.ece#google_vignette

¹¹ James, A. (2021). *The Gig Economy: A Critical Introduction*: By Jamie Woodcock and Mark Graham Cambridge: Polity Press, 2020. *Economic Geography*, 97(1), 113–114. <https://doi.org/10.1080/00130095.2020.1831908>

¹² <https://www.theguardian.com/technology/2026/feb/05/uber-liable-sexual-assault>

company responsible for his actions under “**Apparent Agency**” in USA.¹³

In re: Uber Technologies, Inc., Passenger Sexual Assault Litigation, summarizes that, This MDL(Multi District Litigation) centralizes dozens of passenger cases alleging that Uber failed to implement adequate safety precautions (e.g., background checks, training, safety measures, and complaint-response practices), resulting in passengers being sexually assaulted or harassed by Uber drivers.¹⁴

CHAPTER 6

SOCIAL SECURITY BENEFITS

6.1 LANDMARK JUDGMENTS

There are caselaws supporting gig workers in landmark cases, which paved way from no protection to enhanced social security protection.

a. **IFAT v. Union of India (Supreme Court):**¹⁵

The Indian Federation of App-Based Transport Workers (IFAT) filed a PIL seeking recognition of gig workers as "unorganised workers," demanding social security benefits like health insurance, maternity benefits, and pension.

They urged the court to recognise gig workers as ‘unorganised workers’, so they may be covered under social security laws including the Workmen’s Compensation Act, 1923; The Industrial Disputes Act, 1947; The Employees State Insurance Act, 1948; Employees Provident Funds and Miscellaneous Provisions Act, 1952; The Maternity Benefit Act, 1961; The Payment of Gratuity Act, 1972 and ‘Unorganised Workers’ Social Security Act, 2008.¹⁶

b. **All India Gig Workers Union v. Uber India Systems Pvt. Ltd.:**

This case challenges the refusal of platforms to provide minimum wages and social security, arguing that the relationship is a de facto employer-employee relationship, not a partnership.

¹³ <https://nypost.com/2026/02/05/business/uber-ordered-to-pay-woman-8-5m-in-first-trial-over-driver-sex-assault-claims/>

¹⁴ <https://ecf.cand.uscourts.gov/cgi-bin/DktRpt.pl?419089>

¹⁵ (W.P.(C) No. 1068/2021)

¹⁶ <https://www.scobserver.in/>

Legal precedents and ongoing litigation highlight the efforts of gig workers to secure recognition and protections under existing laws¹⁷

c. Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023:

A landmark state-level legislative action setting a precedent for creating a Welfare Board and fund for gig workers, aimed at regulating work norms.

d. Uber BV v. Aslam (UK Supreme Court - Influential Precedent)¹⁸:

While not Indian, this case has been heavily cited in international and Indian discussions, establishing that Uber drivers are workers entitled to minimum wage and paid leave, rather than self-employed contractors.

Issue highlighted in the case were,

1. Whether the Respondents were "workers" providing personal services to the Second Appellant.
2. If the Respondents were "workers", what periods constituted their "working time"

Following a preliminary hearing, the Employment Tribunal found that the Respondents were "workers" and that they were "working" whenever they (a) had the Appellants' app switched on; (b) were within the territory in which they were authorised to work; and (c) were able and willing to accept assignments. These findings were upheld by the Employment Appeal Tribunal and the Court of Appeal¹⁹ and Freedom of Association and the Right to Collective Bargaining

6.2 Gig Social security measures in Tamilnadu:

The Tamil Nadu State Planning Commission (SPC) has proposed policy measures to improve the livelihood, social security, and working conditions of gig workers in the State. The SPC has recommended mandatory registration of gig workers and platforms on the Tamil Nadu Platform Based Gig Workers Welfare Board's online portal, connected to the e-Shram UID system. It has also said platforms with over 50 workers should be required to constitute

¹⁷ <https://articles.manupatra.com/>

¹⁸ Case ID UKSC/2019/0029

¹⁹ <https://www.supremecourt.uk/cases>

internal dispute resolution committees, with an independent State-appointed ombudsman to handle unresolved grievances.²⁰

CHAPTER 7 NEEDED LEGISLATIONS

7.1 Findings:

- a. Not enough neutral social security benefits of government reaches the targeted gig workers. Classification of benefits by certain criterion filters Gig workers of availing the benefit. For example, Many central social welfare schemes have the age limit of beneficiary to be 18 to 40 years. Gigs above this age limit cannot apply for the benefit though they work as gig worker.
- b. Ministry has launched the Platform Aggregator module on 12th December 2024 to onboard platform aggregators on e-Shram. This initiative integrates these aggregators into the e-Shram ecosystem, ensuring formal recognition of platform-based gig workers and access to Social Security / Welfare Schemes, thereby reinforcing the government's commitment to inclusive and equitable labour welfare. **As of now 12 platform aggregators have been onboarded on platform aggregator module including Zomato, Blinkit, Urban Company, Uber, Ola, Amazon, Swiggy, Rapido, Zepto, Ecom Express and Uncle Delivery.** The Ministry of Labour and Employment launched e-Shram portal (eshram.gov.in) on 26th August 2021 for creation of a comprehensive National Database of Unorganised Workers (NDUW) seeded with Aadhaar. eShram portal is meant to register and support the unorganised workers by providing them a Universal Account Number (UAN) on a self-declaration basis. As on 5th August 2025, over 30.98 crore unorganised workers have already registered on e-Shram portal²¹.
- c. With the new services introduced in the platforms such as URBAN COMPANY, 'Insta help' women choose to be gigs for vegetable cutting, ironing, house cleaning etc.,

²⁰ <https://www.thehindu.com/news/national/tamil-nadu/tamil-nadu-state-planning-commission-calls-for-legal-protection-and-social-security-for-gig-workers/article70727939.ece>

²¹ Ministry of Labour & Employment, Posted On: 11 AUG 2025 6:18PM by PIB Delhi

where they will be at the workplace alone. Safety concerns should be looked into to protect and safeguard them.

- d. Gig platforms as a shield might be used for illegal prostitution, as 'in house services' are in great demand and many abuse of gig workers is already in rise.
- e. In the hierarchy of vendor to vendor deliveries, Minor children aged around 15 to 18 years of age are being employed for nighttime local deliveries in a bike without a two wheeler licence
- f. Platforms such as Urban Company, provides for Accident and Health Insurance deducting form the earnings of the partner, with insurers like 'acko', covering upto Rs. 50,000 if admitted in hospital, upto Rs. 10,000 for outpatient treatments, and Rs. 1,00,000 compensation in case of death. The benefit is for only the partner and not his family included.
- g. Government pension schemes sets age limit 18 to 40 years leaving the other age groups out of the social security protection, and again filtered based on rural and urban dwelling.
- h. There is no appreciation to their delivery experience or services kept as a record backing them up while in search of tagging themselves as a gig in a platform. Everytime they tag as a gig they are freshers to the job. Their work experience will not show up when seeking for a serious full-time employment or a Government job.
- i. During contingent uncertainties such as Gas cylinder shortages due to war conflicts, gig workers mostly depend on food business is down, it impacts gig workers without daily earnings that affect their livelihood indirectly.

7.2 Needed legislation in work areas of Gig:

- More emphasize should be given in the job safety of the partners. A gig must be equipped with proper protection gears and safety wares in whatever job he has

undertaken. There is very less awareness among them about future occupational diseases, health risks, accidents that happen during their work.

- Laws should mandate the partners to provide safety gears and take steps to educate them to use as a proactive measure towards health safety.
- Fair sharing of payment should be given and unnecessary deductions from the payments should be regulated equaling the provisions of labour laws
- Female gigs must be protected under Posh Act, 2013. Though committees are formed to represent at employment places, Female gigs must also should have a platform to

represent their grievances and they must educated of their rights to file complaint under Posh Act, 2013.

- Legislations should be made for the Social Security Benefits in a more enhanced way. Recent Labour Codes included the Social Security Benefits, for Gigs. It must be more specific in targeting the occupation and Social Security Benefits relating to it.
- The separate Forum, Tribunals, ADR Must be specified for conflicts between Customers and the Partners
- Separate Rules must flow from parent laws for Gig Platforms
- online gig tutors must have a license or eligibility certificate to conduct classes of art or academic or any other form of online teaching – Chapter -2/ 0
- Securing the safety of customers and the No-fault liability must be analysed by committees formed and guidelines laid to increase efficiency of gig economy, which has invisible trait of no traditional contract between the partners – “**Qui facit per alium facit per se**”
- Cabs running against the laws and regulations, such as substituting the driver other than the person booked, on duty with the mismatch of vehicle number other than the booked car, auto or two wheeler must be impounded with mechanism for enquiry
- Liability in the Master servant relationship, “**respondeat superior**” should be established through adequate laws for the protection of both the gigs and the consumers who avails the service.

Amendments should be made to include Gig workers in ,

- Immoral Traffic (Prevention) Act, 1956
- Posh, Act, 2013
- THE CHILD AND ADOLESCENT LABOUR (PROHIBITION AND REGULATION) ACT, 1986

To include Gig workers, their partners, liable to offences protecting the consumers at one end and the gig workers the other end, whoever is the victim of the offence under those above Acts.

7.2 CONCLUSION:

The gig economy is the lighthouse for the young population who are stuck nowhere with no options to earn a decent livelihood. The beacon light of platform, lits up with variety of paths, utilizing one's skills, multiple options of jobs, varied employers to choose. The system of employee in itself is a consumer with varied jobs to choose from the rack with own right of working conditions, termed as partners. Yet there are many gaps to be filed by the intervention of law, protecting the rights of the workers, livelihood of the workers and shielding them with social security measures.

Inspite of freedom to work, yet they walk on the sharp edge with no proper social security benefits to protect themselves or their families. If they are ignored of retirement plans, eventually the state will have the burden of protecting them with other schemes in future.

The adequate awareness about social security must be given to the gig workers for their work protection and also safeguarding their families from any kind of contingencies. Though the work is temporary and flexible in managing with no boss theory, it always comes with the risk of undetermined pay and no equal treatment when it comes to pay by location of living.

The algorithms determine the wage, pay per delivery , which is still opaque without transparency by the platform apps. Clear calculation method to the understanding of the ground level workers should be framed without confusing them.

Government intervention by its tripartite character with the partner and the platforms should mandate regulative measures towards work ethics and Social welfare Schemes made available to them

Women workforce must be monitored of whether they are equally paid, their rights for social

security, workplace safety etc The proverb best suits the gigs, is, “Make Hay While The Sun Shines”.

ABBREVIATIONS

1. ILO - International Labour Organisation
2. WESO – World Employment and Social Outlook
3. DWCPI - The Decent Work Country Program for India
4. NITI Ayog – National Institution for Transforming India
5. GIS – Geographical Information System
6. DPSP – Directive Principle of State Policy
7. PMJAY- Ayushman Bharat Pradhan Mantri Jan Arogya Yojana
8. TGPWU - Telangana Gig and Platform Workers Union
9. PIL – Public Interest Litigation
10. LPG - Liquefied petroleum gas
11. IFAT – The Indian Federation of App-Based Transport Workers
12. TN SPC - The Tamil Nadu State Planning Commission
13. UID – Unique Identification
14. NDUW - National Database of Unorganised Workers
15. UAN – Universal Account Number
16. POSH Act - Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013
17. ASEAN - The Association of Southeast Asian Nations

LIST OF CASES

1. IFAT v. Union of India (Supreme Court), (W.P.(C) No. 1068/2021)
2. Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023
3. All India Gig Workers Union v. Uber India Systems Pvt. Ltd,
4. Uber BV v. Aslam, Case ID UKSC/2019/0029

WEBLIOGRAPHY

1. <https://www.tuc.org.uk/research-analysis/reports/cut-weight-limit-say-bag-handlers>
2. <https://www.bbc.com/audio/play/w3ct73vv>

3. Press release information Bureau-Rini Choudhury/Anjelina Alexander (Release ID: 2192463) Visitor Counter : 815, Ministry of Labour & Employment
4. <https://www.epw.in/engage/article/gig-work-climate-crisis-and-urba-infrastructures>
5. <https://www.thehindu.com/opinion/open-page/how-the-gulf-war-is-affecting-gig-workers/article70755658.ece>
6. <https://www.irs.gov/businesses/gig-economy-tax-center>
7. <https://www.latimes.com/california/story/2025-08-29/california-lawmakers-strike-deal-to-allow-uber-lyft-drivers-to-unionize>
8. <https://www.twu.com.au/press/transport-workers-union-platforms-propose-minimum-standards/>
9. https://www.thehindu.com/news/national/tamil-nadu/where-women-elevate-shop-floors/article67525770.ece#google_vignette
10. James, A. (2021). The Gig Economy: A Critical Introduction: By Jamie Woodcock and Mark Graham Cambridge: Polity Press, 2020. Economic Geography, 97(1), 113–114.
11. <https://doi.org/10.1080/00130095.2020.1831908>
12. <https://www.theguardian.com/technology/2026/feb/05/uber-liable-sexual-assault>
13. <https://nypost.com/2026/02/05/business/uber-ordered-to-pay-woman-8-5m-in-first-trial-over-driver-sex-assault-claims/>
14. <https://ecf.cand.uscourts.gov/cgi-bin/DktRpt.pl?419089>
15. <https://www.scobserver.in/>
16. <https://articles.manupatra.com/>
17. <https://www.supremecourt.uk/cases>
18. <https://www.thehindu.com/news/national/tamil-nadu/tamil-nadu-state-planning-commission-calls-for-legal-protection-and-social-security-for-gig-workers/article70727939.ece>
19. Ministry of Labour & Employment, Posted On: 11 AUG 2025 6:18PM by PIB Delhi

BIBLIOGRAPHY

1. Woodcock, Jamie. *The Fight Against Platform Capitalism: An Inquiry into the Global Struggles of the Gig Economy*. University of Westminster Press, 2021. JSTOR, <https://doi.org/10.2307/j.ctv1ktbdrm>. Accessed 17 Apr. 2026.
2. Moreira, T. (2022). Algorithms, Discrimination and Collective Bargaining. In J. Boto & E. Brameshuber (Ed.). *Collective Bargaining and the Gig Economy: A Traditional Tool for New Business Models* (pp. 153–166). Oxford: Hart Publishing. Retrieved April 17, 2026, from <http://dx.doi.org/10.5040/9781509956227.ch-009>
3. Senatori, Iacopo. *Litigation (collective) Strategies to Protect Gig Workers' Rights : A Comparative Perspective*, edited by Carla Spinelli, Giappichelli, 2022. ProQuest Ebook Central, <https://www-proquest-com-vistas.knimbus.com/legacydocview/EBC/29368014?accountid=175732>

